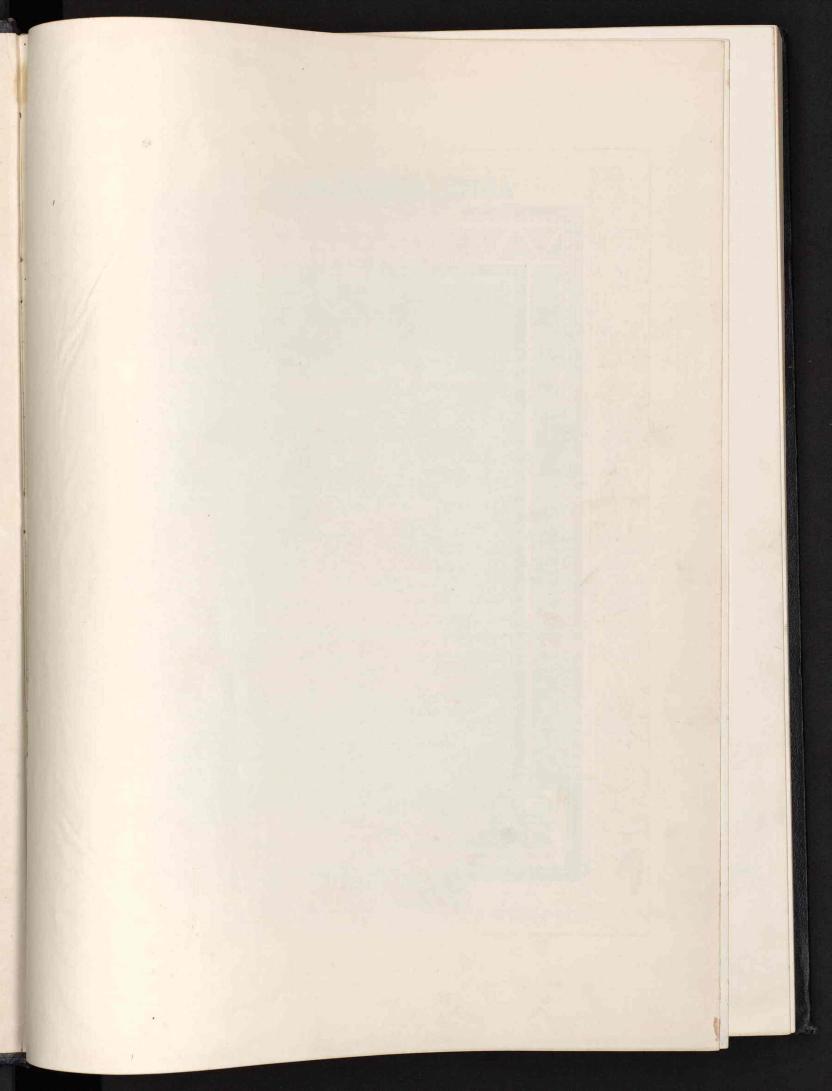
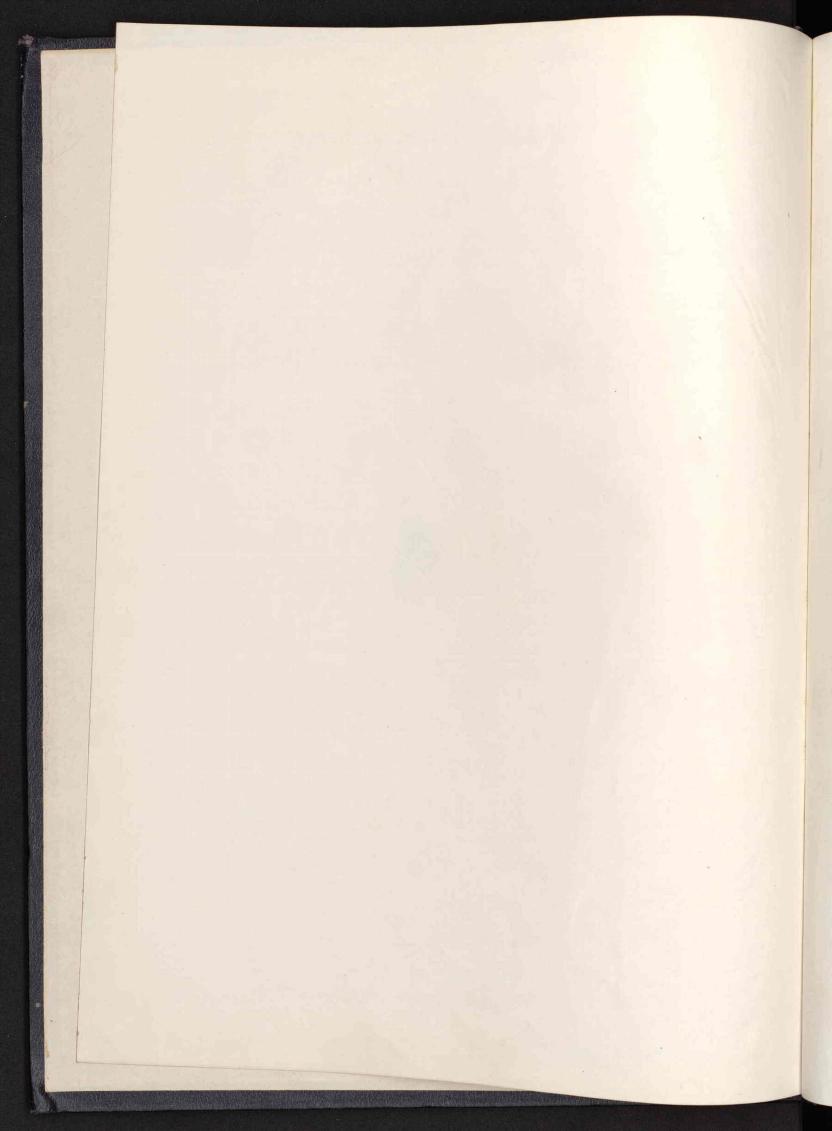
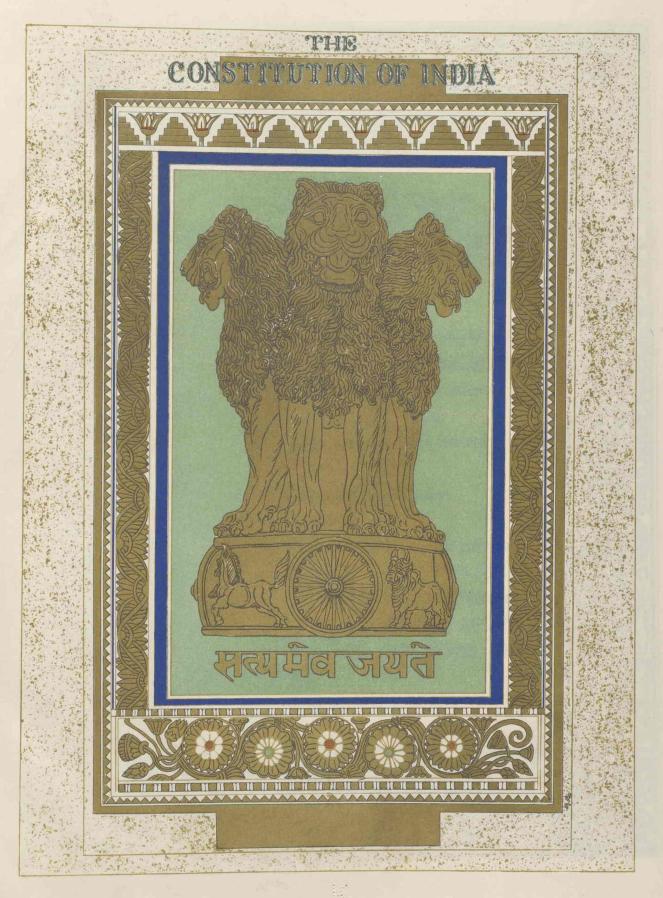
CONSTITUTION OF INDIA





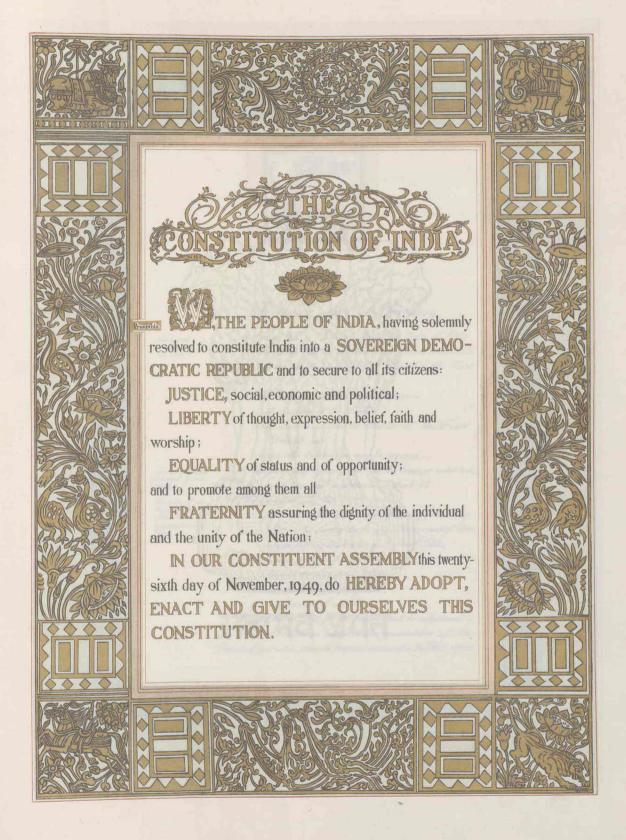






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Part I

The Union and its Territory

1. (1) India, that is Bharot, shall be a Union of States. (2) The States and the territories thereof shall be the States and their texiteries specified in Parts A, B and Cofthe First Schedule.

(3) The lemitory of India shall comprise-(a) the limitories of the States;

(b) the tenitories specified in Part D of the First

(c) such other territories as may be acquired.

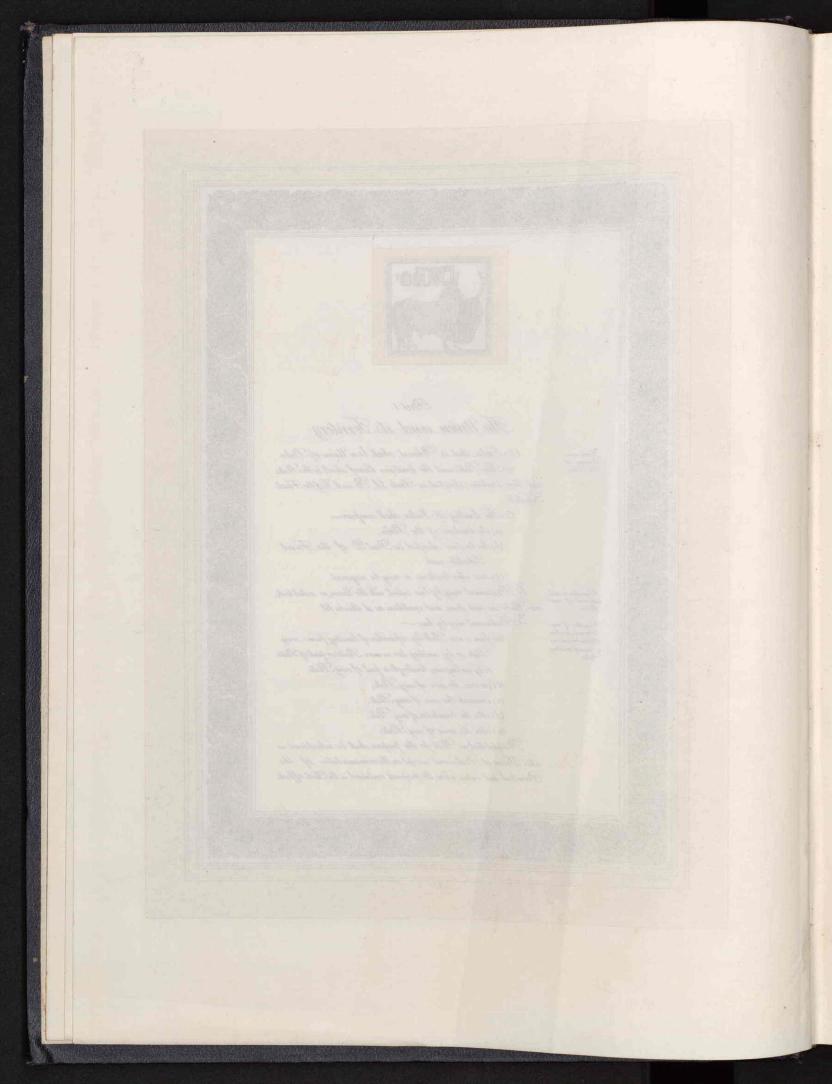
2. Parliament may by law admit into the Union, or establish, States on such terms and conditions as it thinks fit.

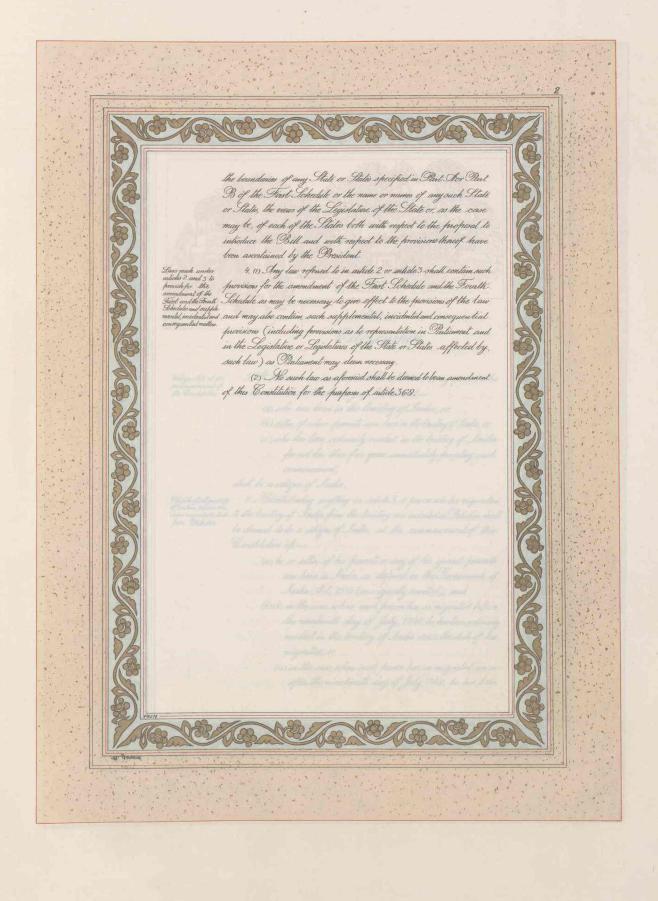
3. Partiament may by law

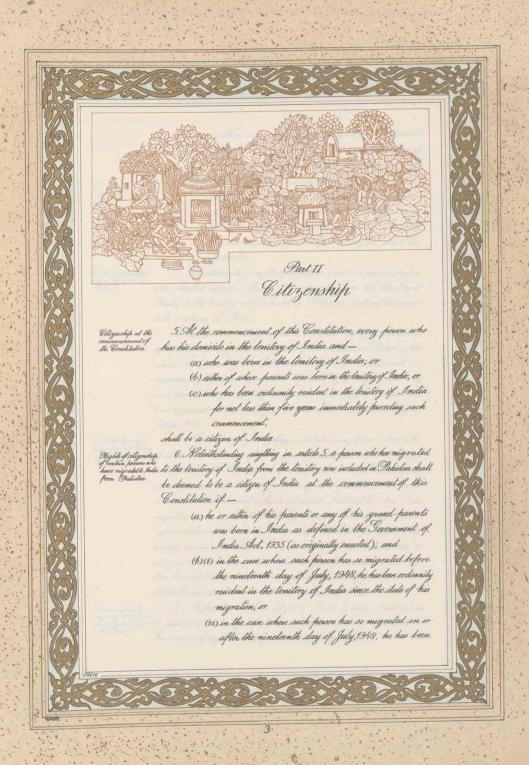
(a) from a new State by separation of territory from any State or by uniting two or more States or parts of States or by uniling any territory to a past of any State;

(b) increase the area of any State;

(c) diminish the area of any State;
(c) diminish the area of any State;
(d) altor the boundaries of any State;
(e) altor the name of any State;
Previded that no Bill for the purpose shall be introduced in either Acouse of Parliament except on the recommendation of the President and unless, where the proposal contained in the Bill affects







registered as a citizen of India by an officer appointed in that behalf by the Government of the Dominion of India on an application made by him therefor to such officer before the commencement of this Constitution in the form and manner prescribed by that Government: Provided that no pesson shall be so registered unless he has been resident in the toristory of India for at least six months immediately preceding the date of his 7. Notwitholanding anything in articles 5 and 6, a person who has after the first day of March, 1947, migrated from the territory of India to the territory now included in Pakistan shall not be deemed to be a citizen of India: Provided that nothing in this article shall apply to a power who, after having so migrated to the tenitory now included in Plakistan, has returned to the limitory of India under a posmit for resettlement or permanent return issued by or under the authority of any law and every such person shall for the purposes of clause (b) of which 6 be deemed to have migrated to the tenitory of India after the nineteenth day of July, 1948. 8. Polivitherlanding amything in article 5, any person whom either common mining outside of whose parents or any of whose grand-parents was born in India as defined in the Government of India Act; 1935 (as enginally enact ed), and who is ordinarily residing in any country outside India as so defined shall be deemed to be a citizen of India if he has been registered as a cilizen of India by the diplomatic or consular representative of India in the country where he is for the time being residing on an application made by him therefor to such diplomatic or consular representative, whether before or after the commencement of this Constitution, in the form and manner prescribed by the Government of the Dominion of India or the Gavernment of India. 9. No person shall be a citizen of India by virtue of article 5, or be deemed to be a cilizen of India by virtue of acticle 6 or article 8, of he has voluntarily acquired the citizenship of any foreign State.

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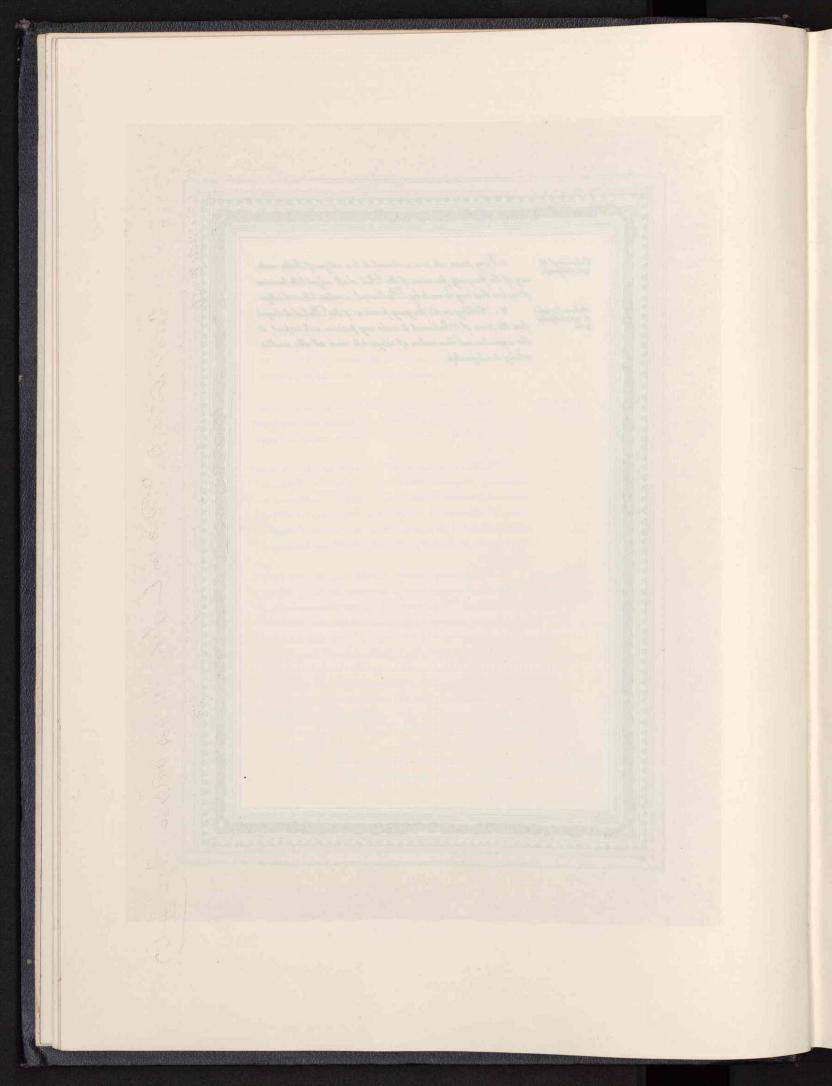
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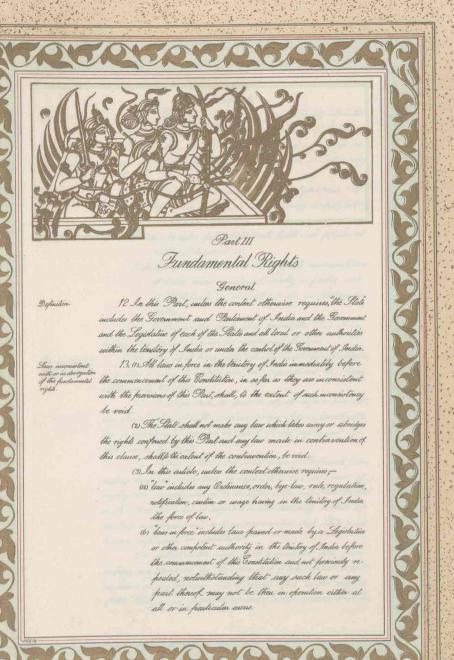
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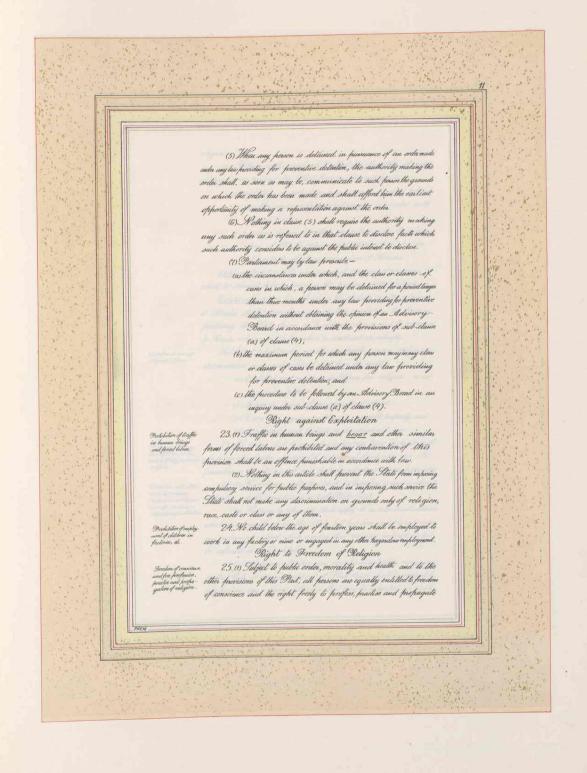
Right to Equality 14. The State shall not down to any posson equality before the Equality before low. law or the equal protection of the laws within the limitory of India. 15.(1) The Hate shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of bith orany (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability liability restriction or condition with regard to-(a) access to shops, public restaurants, hotels and places of public entertainment; or (b) the use of wells, tanks, bathing ghats, reads and places of public resert maintained wholly or partly out of State funds or dedicated to the use of the general (3) Nothing in this article shall prevent the State from making any special provision for women and children. 16. (1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State (2) No citizen shall, on grounds only of religion , race, caste, sex, descent place of birth, residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State. (3) Nothing in this article shall prevent Perliament from making any law prescribing, in regard to a class or classes of employment or appointment to an effice under any State specified in the First Schedule or any local or other authority within its territory, any requirement as to residence within that State prior to such employment or appointment. (4) Nothing in this article shall provent the State from making any provision for the reservation of appointments or pasts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State

(5) Nothing in this enticle shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institution or any member of the governing body three of shall be a person professing a particular religion or belonging to a particular denomination. 17. Untouchability" is abolished and its practice in any form is forbidden. The enforcement of any disability anising out of Unlenchability shall be an offence punishable in accordance with law 18. (1) No little, not being a military or academic distinction, shall Melition of litter. be conferred by the State. (2) No citizen of India shall accept any little from any foreign State. (3) No person who is not a citizen of India shall, while he holds any office of profit or trust under the State, accept without the consent of the President any little from any foreign State (4) No person holding any office of profit or trust under the State shall, without the consent of the President, accept any present, emolument or office of any kind from or under any foreign State. Right to Freedom 19.(1) All cilizens shall have the right -(as to freedom of speech and expression; (b) to assemble peaceably and without arms; (c) to form associations or unions, (d) to move freely throughout the territory of India; (e) to reside and settle in any part of the territory of India; (f) to acquire, hold and dispose of property; (g) to fractise any profession, or to carry on any occupation. trade or turinas. (2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law in so far as it relates to, or prevent the State from making any law relating to, libel, slander, defamation, contempt of court or any matter which offends against decency or morality or which

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undermines the security of, or lends to everthrow, the State. (3) Nothing in sub-clause (b) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of public order, rewmable restrictions on the exercise of the right conferred by the said (4) Nothing in sub-clause (c) of the said clows shall affect the operation of any existing law in so far us it improves, or provent the State from making any law imposing, in the interests of public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause (5) Welling in sub-clauses (d); (e) and (f) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, reasonable restrictions on the exercise of any of the rights conferred by the said sub-clawer either in the interests of the general public or for the protection of the interests of any Scheduled Tribe (6) Nothing in sub-clause(g) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of the general public reasonable restrictions on the exercise of the right conferred by the said sub-clause, and, in particular, nothing in the said sub-clause shall affect the operation of any existing law in so far as it prescribes or empowers any authority to prescribe, or provent the State from making any law prescribing or empowering any authority to prescribe, the professional or technical qualifications necessary for practising any profession or carrying on any occupation, trade or business. 20.11) No person shall be convicted of any offence except for violation of a law in force at the time of the commission of the act charged as an offence, nor be subjected to a frenalty greater than that which might have been inflicted under the law in force at the line of the commission of the offence. (2) No person shall be presecuted and funished for the same offence more than once

(3) No person accused of any offence shall be competted to be a witness against himself. Bretiction of life and powered liberty. 21. No person shall be deprived of his life or personal liberty except according to procedure established by law. Brotection against avoit and Autention in certain case. 22.(1) No person who is ansoled shall be detained in controly without being informed, as soon as may be, of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice. (2) Every person who is aniested and detained in custody shall be produced before the nearest magistrate within a period of liverty-four hours of such anest excluding the time necessary for the journey from the place of anest to the coast of the magistrate and no such person shall be detained in curticly beyond the said period without the authority of a magistrate (3) Nothing in clauses (1) and (2) shall apply -(a) to any person who for the time being is an enemy alien; or (b) to any person who is anested or detained under any law providing for preventive detention. (4) No law providing for preventive delivation shall authorise the detention of a porson for a longer period than three months unless-10) an Advisory Board consisting of persons who are, or have been, or are qualified to be appointed as, Judges of a High Court has reported before the expiration -if the said period of three months that there is in its opinion sufficient cause for such detention: Provided that nothing in this sub-clause short authorize the detention of any posson beyond the maximum period forescribed by any law made by Parliament under subclause (b) of clause (7); or (b) such person is detained in accordance with the provisions of any law made by Parliament under sub-clauses (a) and (b) of clause (7).



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(2) Nothing in this article shall affect the operation of any existing law or provent the State from making any law-(a) regulating or restricting any economic, financial, political or other secular activity which may be associated with (b) providing for social welfare and reform or the throwing open of Hindu religious institutions of a public character to all classes and sections of Heindus. Explanation I - The wearing and canying of kirpans shall be deemed to be included in the profession of the Sikh religion. Explanation II - In sub clause (6) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly. 26. Subject to public order, morality and health, every religious denomination or any section thereof shall have the right-(a) to establish and maintain institutions for religious and charitable purpose; (b) to manage its own affairs in matters of religion; (c) to own and acquire worable and immovable property; and (d) to administer such property in accordance with law. Freedom arts pay. 27. We person shall be compelled to pay any laxes, the proceeds of main flaxs for pro-mation of any particular which are operifically appropriated in payment of expenses for the 27. No person shall be compelled to pay any taxes, the proceeds of promotion or maintenance of any particular religion or religious denomination 28. 11) No religious instruction shall be provided in any educational unce al retigious indication or retigious institution wholly maintained out of State funds works in certain educational institution (2). Nothing in clause (1) shall apply to au (2) Nothing in clause (1) shall apply to an educational institution which is administered by the State but has been established under any endowment or trust which requires that religious instruction shall be imparted in such institution (3) No powon attending any educational institution recognised by the State or receiving aid out of State funds shall be required to take part in any religious instruction that may be imparted in such

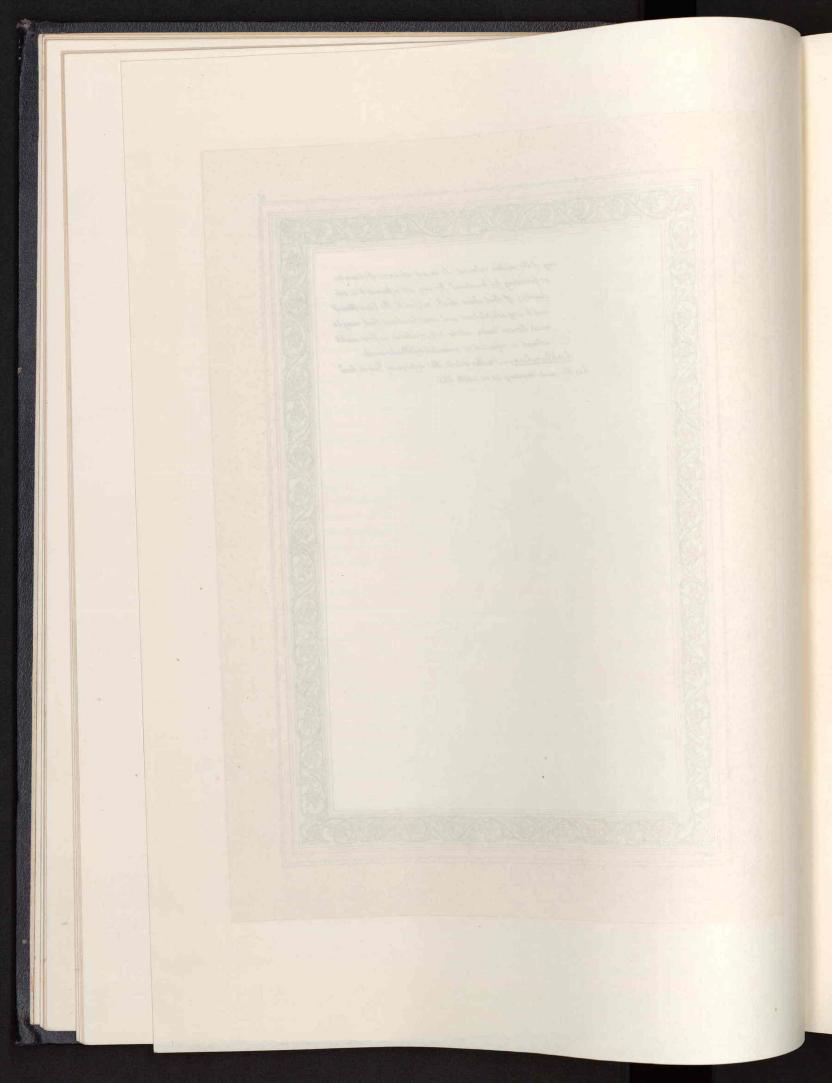
institution or to altend any religious worship that may be conducted in such institution or in any premises attached thereto unless such person or, if such person is a minor, his quardian has given his Cultural and Educational Rights 29. (1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same. (2) No cilizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them 30. (1) All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of (2) The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based Right to Property 31 (1) No pason shall be deprived of his property save by authority of law. (2) No property, movable or immovable, including any interest in, or in any company owning, any commercial or industrial undertaking shall be taken possession of or acquired for public purposes under any law authorising the taking of such possession or such acquisition, unless the law provides for compensation for the property taken possession of or acquired and either fixes the amount of the compensation, or specifies the principles on which, and the manner in which, the compensation is to be determined and given. (3) No such law as is referred to in clause (2) made by the Legislature of a State shall have effect unless such law having been reserved for the consideration of the President, has received his assent. (4) If any Bill pending at the commencement of this Constitution in the Legislature of a State has after it has been passed by such

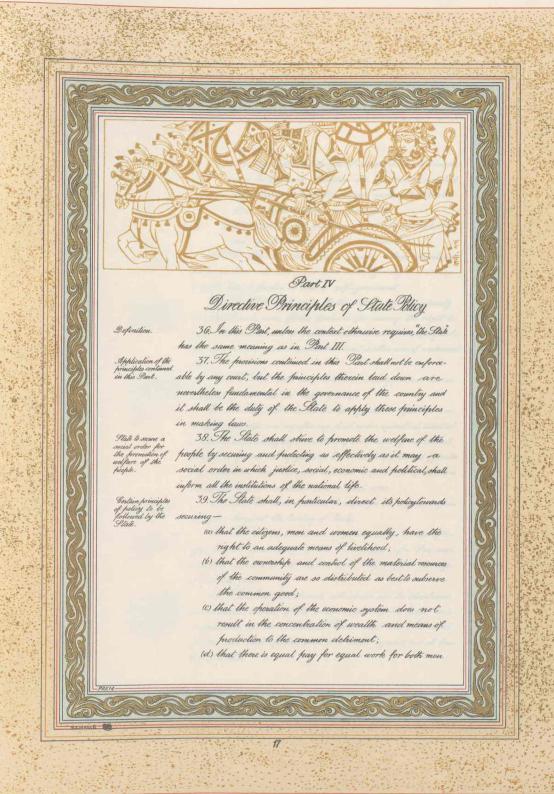
Legislative, been reserved for the consideration of the President; and has received his assent, then, notwithstanding any thing in this Constitution, the low so assented to shall not be called in question in any court on the ground that it contravenes the provisions of clause (2). (5) Nothing in clause (2) shall affect -(a) the previsions of any existing law other than a law towhich the provisions of clause (6) apply, or (b) the provisions of any law which the State may horeafter (is for the purpose of imparing or larging any lax or penalty, or (ii) for the promotion of public health or the prevention of dauger to life or poperty, or (iii) in pursuance of any agreement entered into between the Government of the Dominion of India or the Government of India and the Government of any other country, or otherwise, with respect to property declared by law to be evacuee property. (6) Any law of the State enacted not more than eighteen months before the commencement of this Constitution may within three months from such commencement be submitted to the Prosectiont for his certification; and thescupen, if the President by public notification so certifies, it shall not be called in question in any court on the ground that it contravenes the provisions of clause (2) of this article or has contravened the provisions of sub-section (2) of section 2.9.9 of the Government of India Act, 1935. Right to Constitutional Remedies 32. (1) The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Past is (2) The Suprome Court shall have power to issue directions or orders or write, including write in the nature of habeas corpus, mandamus, prohibition, que warrante and certiorari, whichwa may be appropriate, for the enforcement of any of the rights confened

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(3) Without prejudice to the powers conferred on the Supreme Court by clauses (1) and (2), Parliament may by law empower any other court to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supremeleoust under clause (2). (4) The right guaranteed by this article shall not be suspended except as otherwise provided for by this Constitution. 33. Parliament may by law determine to what extent any of the rights conferred by this Part shall, in their application to the members of the Anned Forces or the Forces charged with the maintenance of public order, be restricted or abrogated so as to ensure the proper discharge of their duties and the maintenance of discipline among them. 34. Notivithstanding anything in the foregoing provisions of this Part, Parliament may by law indownify any person in the service of the Union or of a State or any other person in respect of any act done by him in connection with the maintenance or restoration of order in any area within the benitory of India where martial law was in force or validate any sentence paned, punishment inflicted, forfeiture ordered or other act done under martial law in 35. Notwithstanding anything in this Constitution; (a) Parliament shall have, and the Legislative of a State shall not have, power to make laws-(i) with respect to any of the matters which, under clause (3) of article 16, clause (3) of article 32, article 33 and article 54 may be provided for by law made by Parliament; and (ii) for prescribing punishment for those acts which are declared to be offences under this Part; and Partiament shall, as soon as may be after the comm of this Constitution , make laws for prescribing punishment for the acts referred to in sub-clause (ii); (b) any law in force immediately before the comthis Constitution in the Society of India with respect to







(e) that the health and shought of workers, men und women, and the tendor age of children are not abused and that citizens are not forced by economic necessity to enter woodtions unsuited to then age or strength;

(f) that childhood and youth are protected against exploitation and against moral and material abandonment.

Organisation of village panchayats.

40. The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable than to function as units of self-government.

Right to work, to education and to public assistance in colon cuses.

41. The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of incomployment, old age, sickness and disablement, and in other cases of underewed

Provision for just and humane conditions of

42. The State shall make provision for securing just and humane

humane contition of conclitions of work and for malionity relief.

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43. The State shall endeavour to seeme, the works. 43. The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuing a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or cooperative basis in rural areas.

Uniform civil code for the citizens.

44. The State shall endeavour to seave for the citizena uniform civil code throughout the territory of India

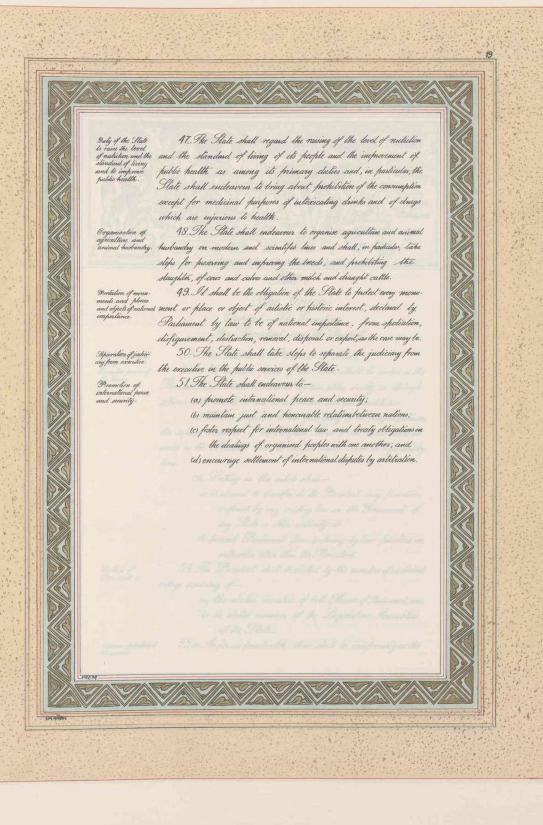
Provision for free and compulsory education for children

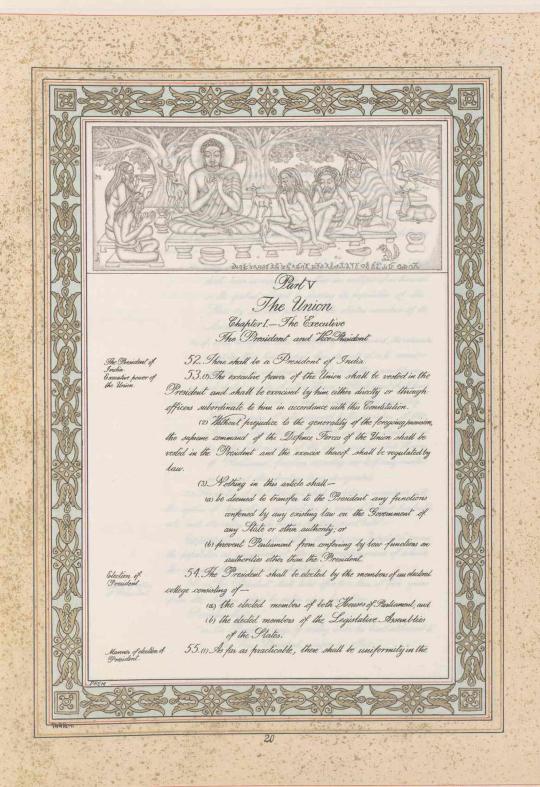
45. The State shall endeavour to provide, within a period of ton years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years

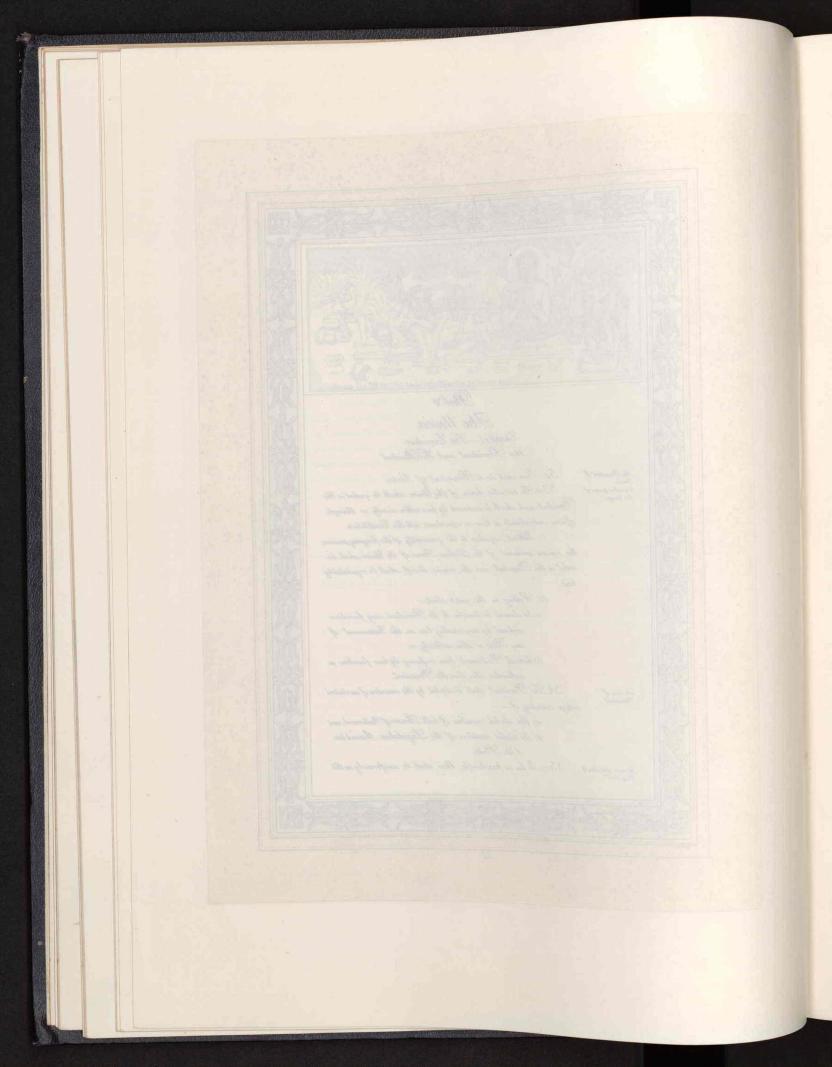
Promotion of eclusa-tional and economic intensit of Scheduled Castes, Icheduled Tribes and other weaker sections.

46. The State shall promote with special case the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Easter and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

The state of the s







scale of representation of the different States at the election of the President. (2) For the purpose of securing such uniformity among the States inter se as well as parity between the States as a whole and the Union, the number of votes which each elected member of Parliament and of the Legislative Avently of each State is entitled to east at such election shall be determined in the following ias every elected member of the Legislative Assembly of a State shall have as many votes as there are multiples of one thousand in the quotient obtained by dividing the population of the State by the total number of the elected members of the Assembly; () if, after taking the said multiples of one thousand, the remainder is not less than five hundred, then the vote of each momber referred to in sub-clause (a) shall be further increased by one; (c) such elected member of either Thouse of Parliament chall have such number of roles as may be obtained by dividing the total number of votes assigned to the members of the Legislative Assemblies of the States under sub-clausera, and (b) by the total number of the elected members of both Houses of Parliament, fractions exceeding one-half being counted as one and other fractions being dirregarded. (3) The election of the President shall be held in accordance with the system of proportional representation by means of the single hourseable vote and the voting at such election shall be by secret ballot. Explanation - In this article, the expression "population" means the population as ascortained at the last preceding consus of which the relevant figures have been published. 56. (1) The President shall hold office for a town of five years from the date on which he outers upon his office: Provided that -(a) the President may, by writing under his hand addressed to the Vice- President, resign his office;

(s) the Provident may, for violation of the Emstitution, be removed from office by impeachment in the manner provided in article 61; (c) the President shall indivitestanding the expiration of his term, continue to hold office until his successor enters upon his (2) Any resignation addressed to the Vice-President under clause (a) of the provise to clause (1) shall forthwith be communicated by him to the Speaker of the House of the People 57. A person who holds, or who has held, office as President shall, subject to the other provisions of this Constitution, be eligible for re-election to that office. 58.00 No person shall be eligible for election as President unless he-Qualifications for election as President (a) is a citizen of India, (b) has completed the age of thirty-five years, and (c) is qualified for election as a member of the Heouse of the People. (2) A poson shall not be eligible for election as President if he holds any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments. Explanation - For the purpose of this article, a power shall not be deemed to hold any office of profit by reason only that he is the Provident or Vice-President of the Union or the Governor or Rajframukh or Uparajframukh of any State or is a Minister either for the Union or for any State 59.00 The President shall not be a member of either House of Parliament or of a Louise of the Legislature of any State, and if a member of either Thouse of Parliament or of a House of the Legislature of any State be elected President, he shall be deemed to have vacated his seat in that House on the date on which he enters when his office as President. (2) The President shall not held any other office of profit. (3) The President shall be entitled without payment of rent to the use of his official residences and shall be also entitled to such

emoluments, allowances and privileges as may be determined by Pantament by law and, until provision in that behalf is so made, such emoluments, allowances and privileges as one specified in the Second Schedule. (4) The empluments and allowances of the President shall not be diminished during his term of office. 60. Every President and every person acting as President or discharging the functions of the President shall before entiring upon his office, make and subscribe in the presence of the Chief Justice of Inclia or, in his absence, the seniormost Judge of the Supreme Court avail able, an oath or affirmation in the following form, that is to say— "I, I. B., do swear in the name of God that I will faithfully execute the office of President (or discharge the functions of the President) of India and will to the best of my ability preserve, protect and defend the Econstitution and the law and that I will dovote myself to the service and well-being of the people of India" 61. (1) When a President is to be impeached for inclation of the Conditation , the charge shall be preferred by either House of Insta-(2) No such charge shall be preferred intersin the proposal to profer such charge is contained in a resolution which has been moved after at least fourteen days' notice in writing signed by not less than onefourth of the total number of members of the House has been given of their intention to move the resolution, (b) such resolution has been passed by a majority of not less than two thirds of the total membership of the House. (3) When a charge has been so preferred by either Thouse of Parliament, the other House shall investigate the charge or cause the charge to be investigated and the President shall have the right to appear and to be represented at such investigo (40 If as a result of the investigation a resolution is passed

by a majority of not less than live-thirds of the botal membership of the House by which the charge was involugated or caused to be invertigated, declaring that the charge preferred against the President has been sustained, such resolution shall have the effect of removing the President from his office as from the date on which the resolution is so passed Sime of holding 62.(1) In election to fill a vacancy caused by the expination of the vocancy in the flow of Smith term of office of President shall be completed before the expination and the tense of the few of the term.

Consul vacancy.

(2) In election to hill a vacancy in the effice of President occurs.

(2) An election to fill a vacancy in the office of President occur ing by reason of his death, resignation or removal, or otherwise shall be hold as soon as possible after, and in no case later than six months from , the date of occurrence of the vacancy; and the powon elected to fill the vacancy shall, subject to the provisions of which 56, be entitled to hold office for the full term of five year from the date on which he enters upon his office.

The Vice President of India
The Ver President to be ex-estrate
Chairman of the
Council of Plats

63. There shall be a Vice President of India.

64. The Vice-President shall be ex-officio Chairman of the Council of States and shall not hold any other office of profit:

Provided that during any period when the Vice-Provident acts as President or discharges the functions of the President under article 65, he shall not perform the duties of the office of Chairman of the Council of States and shall not be entitled to any salary or allowance payable to the Chairman of the Council of States under article 97.

The Vice-President The Price Strandard to act as Grandard his functions during casual vacancies in the office, or during the alsonce,

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65.11 In the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, the Vice-President shall act as President until the date on which a new President elected in accordance with the provisions of this Chapter to fell such vacancy onters upon his office.

(2) When the President is unable to discharge his functions owing to absence, illness or any other cause, the Vice-President shall discharge his functions until the date on which the President resumes

(3) The Pice-President shall, during, and in respect of the

period while he is so acting as, or discharging the functions of President, have all the powers and immunities of the President and be entitled to such enclineents, allowances and privileges we may be determined by Partio ment by law and, will frevision in that behalf is so made, such emoluments, allowances and privileges as me opecified in the Second Schedule. 66.41 The Tice- President shall be elected by the members of both Houses of Partiament assembled at a joint meeting in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret (2) The Pice- President shall not be a member of either House of Parliament or of a Thouse of the Legislature of any State, and if a member of either House of Parliament or of a House of the Legislature of any State be elected Vice-President, he shall be deemed to have vacated his seat in that House on the date on which he onlier upon his office as Vice-President. (3) No person shall be eligible for election as Vice President (a) is a citizen of India; (b) has completed the age of thirty-five years; and (c) is qualified for election as a mounter of the Council of (4) A person shall not be eligible for election as Vice Provident if he holds any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments. Explanation - For the purpose of this article, a person shall not be deemed to hold any office of profit by reason only that he is the President or Vice- President of the Union or the Governor or Rajpramukh or Upavaj pramukh of any State or is a Minister either for the Union or for any State 67. The Vice- President shall hold office for a term of five years Torm of office of from the date on which he enters upon his office:

Movided that -(a) a Vice-President may, by writing succes his hand addressed to the President, resign his office; (b) a Vice- President may be removed from his office by a resolution of the Council of States passed by a majority of all the thon members of the Council and agreed to by the House of the People; but no resolution for the purpose of this clause shall be moved unless at least faisteen days' notice has been given if the intention to move the resolution; (c) a Rice-President shall, netwith standing the expination of history, continue to hold office until his successor enters upon his office. 68. (1) An election to fill a vacancy caused by the expiration of the term of office of Vice- President shall be completed before the expiration of (2) An election to fill a vacancy in the office of Rice President occurring by reason of his death, resignation or removal, or otherwise shall be held as soon as possible after the occurrence of the vacancy, and the person elected to fill the vacuncy shall, subject to the provisions of article 67, be entitled to hold office for the full torm of five years from the date on which he enters upon his office. 69. Every Lice President shall, before onliving upon his office, make and subscibe before the President, or some person appointed in that behalf by him, an oalk or affirmation in the following from that is to say—
If, A. B., do avera in the name of God. that I will bear
but faith and altegiance to the Constitution of India as by low established and that I will faithfully discharge the duty whon which I am about to enter." Discharge of Presi-dent's functions in other contingencies. 70. Parliament may make such provision as it thinks fit for the discharge of the functions of the President in any contingency not provided for in this Chapter 11.00 All doubts and disputes arising out of or in connection with Mallos relating to or connected with the election of a President or Vice President shall be inquired into er connected with the election of a President or Vice-President and decided by the Suprome Court where decision shall be

(2) If the election if a person as President or Vice President is declared void by the Supreme Court, and done by him in the exercise and performance of the powers and duties of the office of President or Pice- President, as the case may be, on or before the date of the decision of the Supreme Court shall not be invalidated by reason of that declaration. (3) Subject to the provisions of this Constitution, Parliament may by law regulate any matter relating to or connected with the election of a President or Vice- President 72. (1) The President shall have the power to grant pardons, Bower of Projection 72. (1) The President shall have the power to grant products, to grant products, it, and to suspend, reprieves, respiles or remissions of punishment or to suspend, remitrement or commute a in column or commute the sentence of any pason convicted of any offence -(a) in all cases where the punishment or sentence is by a Court Martial; (6) in all cases where the punishment or sentence is for an offence against any law relating to a matter to which the executive power of the Union extends; (c) in all cases whose the sentence is a sentence of death. (2) Nothing in sub-clause (a) of clause (1) shall affect the power conferred by law on any officer of the Armed Forces of the Union to surpend, result or commute a sentence passed by a Court Martial (3) Nothing in sub-clause (0) of clause (1) shall affect the power to suspend, result or commute a sentence of death exercisable by the Governor or Plajpranukh of a State under any law for the time being in force. 73. (1) Subject to the provisions of this Constitution, the executive power of the Union shall extend-(a) to the matters with respect to which Parliament has power to make law; and (b) to the exercise of such rights, authority and jurisdiction as are exercisable by the Government of India by virtue of any treaty or agreement: Provided that the executive power referred to in sub clausers

shall not, save as expressly provided in this Constitution or in any law made by Parliament, extend in any State specified in Part A or Part B of the First Schedule to malters with respect to which the Legislature of the State has also power to make law. (2) Until otherwise provided by Parliament, a State and any officer or authority of a State may notwithstanding any thing in this article, continue to exercise in matters with respect to which Parliament has power to make laws for that State such executive power or functions as the State or officer or authority thereof could exercise immediately before the commencement of this Constitution. Council of Ministers 74.05 There shall be a Council of Ministers with the Prime Council of Minsters to aid and advise President Minister at the head to aid and advise the President in the exercise of his functions. (2) The question whether any, and if so what, advice was lendered by Ministers to the President shall not be inquired into in any court. 75.00 The Prime Minister shall be appointed by the Presi-Alher provision us to Ministers dent and the other Almisters shall be appointed by the President on the advice of the Prime Minister. (2) The Ministers shall held office during the pleasure of the President. (3) The Council of Ministers shall be collectively responsible to the House of the People. (4) Before a Minister enters upon his office, the President shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Third Schedule. (5) A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period coase to be a Minister. (6) The salaies and allowances of Minister shall be such as Parliament may from time to time by law determine and until

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Partiament so determines, shall be as specified in the Second Schedule.

The Attorney-General for India

76. (1) The President shall appoint a person who is qualified to be appointed a Judge of the Supreme Court to be Alternay-General for India.

(2) It shall be the duty of the Attorney- General to give advice to the Government of India upon such legal matters, and to perform such other dulies of a legal character, as may from time to line be referred or assigned to him by the President, and to discharge the functions conferred on him by or under this Constitution or any other law for the time being in force.

(3) In the performance of his duties the Attorney General shall have right of audience in all courts in the tenitory of India.

(4) The Alterney-General shall hold office during the pleasure of the President, and shall receive such remuneration as the President may determine

Conduct of Government Business

Conduct of the business of the Government of India.

17.00 All executive action of the Government of India shall be expressed to be taken in the name of the Bresident.

(2) Orders and other instruments made and executed in the name of the President shall be authenticated in such manuer as may be specified in rules to be made by the President, and the validity of an order or instrument which is so authenticated shall not be called in quation on the ground that it is not an order or instrument made or executed by the President.

(3) The President shall make rules for the more convenient hausaction of the burners of the Government of India, and for the alteration among Ministers of the said business.

78. It shall be the duty of the Prime Minister -(a) to communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation;

(b) to funish such information relating to the administration of

the affairs of the Union and proposals for legislation as the President may call for; and (c) if the President so requires , to submit for the consideration of the Council of Ministers any maller on which a decision has been taken by a Minister but which has not been considered by the Council. Chapter II-Parliament General 79. There shall be a Parliament for the Union which shall consist of the Provident and two Houses to be known respectively as the bouncil of States and the Thouse of the People. 80. (1) The Council of States shall consist of is twelve members to be nominated by the President in accordance with the provisions of clause (3); and (b) not more than two hundred and thirty-eight representatives of the States. (2) The allocation of seats in the Council of States to be filled by representatives of the States shall be in accordance with the provisions in that behalf contained in the Fourth Schedule. (3) The members to be nominated by the President under subclause (a) of clause (1) shall consist of persons having special tenowledge or practical experience in respect of such matters as the following, namely: -Literature, science, ast and social service. (4) The representatives of each State specified in Part A & Part Box the First Schedule in the Council of States shall be elected by the elected members of the Legislative Assembly of the State in accordance with the system of proportional representation by means of the single transferable vote (5) The representatives of the States specified in Part & of the First Schedule in the Council of States shall be chosen in such manner as Parliament may by law prescribe. 81. (1) (a) Subject to the provisions of clause (2) and farticles 82

and 331, the House of the People shall consist of not more than five hundred members directly elected by the voters in the States. () For the purpose of sub-clause (a), the States shall be directed, graphed or formed into territorial constituencies and the number of members to be allotted to each such constituency shall be so determined as to ensure that there shall be not less than one member for every 750,000 of the population and not more than one member for every 500,000 of the population. (c) The ratio between the number of members allotted to each tendenial constituency and the population of that constituency as ascertained at the last proceeding census of which the retoraut figures have been published shall, so far as practicable, be the same throughout the tenitory of India. (2) The representation in the House of the Prople of the Senitories comprised within the territory of India but not included within any State shall to such as Parliament may by law provide (3) Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be readjusted by such authority, in such manuer and with effect from such date as Parliament may by law determine: Provided that such readjustment chall not affect representation in the House of the People until the dissolution of the then existing House 82. Not with olanding anything in clause (1) of article 81, Partiaas to representation of States on Part E and territories other than States ment may by law provide for the representation in the House of the People of any State specified in Part & of the Frist Schedule or of any territories comprised within the territory of India but not included within any State on a basis or in a manner other than that provided in that clause 83.(1) The Council of States shall not be subject to dissolution, but as nearly as possible one that of the members though shall relie as soon as may be on the expiration of every second year in accordance with the provisions made in that behalf by Parliament by law. (2) The House of the People, unless seenen dissolved, shall

continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the House: Provided that the said paired may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation Qualification for 84. A person shall not be qualified to be chosen to fill a seat in Parliament unless he -(a) is a citizen of India; (b) is, in the case of a reat in the Council of States, not to than thirty years of age and, in the case of a seat in the House of the Rople, not less than twenty-five your of age; and (c) passesses such other qualifications as may be prescribed in that behalf hyorunder any law made by Partiament. 85 in The Houses of Parliament shall be summoned to meet Twice at least in every year, and six months shall not intervene between their last sitting in one service and the date appointed for their first sitting in the next serion. (2) Subject to the provisions of clause (1), the President may from time to time -(a) summen the Mouses or either House to meet at such Time and place as he thinks fit; (b) proroque the Houses; (c) dissolve the House of the People. 86.11 The President may address either Showe of Parliament or both Houses assembled together, and for that purpose require the attendance (2) The President may send marages to either House of Parliament, whether with respect to a Bill then pending in Parliament or otherwise, and a Thouse to which any manage is so sent shall with all convenient despatch consider any matter required by the message

to be taken into consideration. Special address by the Bresident at the commencement 87.11). At the commencement of every session the President shall address both Houses of Parliament assembled together and inform Parliament of the causes of its summors (2) Provision shall be made by the rules regulating the procedure of either House for the allotment of line for discussion of the matter refused to in such address and for the precedence of such discussion own other business of the House. Rights of Moriton 88. Every Minister and the Atternoy-General of India shall on and Microsy Toward have the right to speak in , and otherwise to take past in the proceedings of , either House, any joint sitting of the Houses, and any committee of Parliament of which he may be named a member, but shall not by virtue of this salicle be califled to vote. Officers of Partiament 89.11) The Vice- President of India shall be ex-office Chair The Chairman 89.11) The Vice-Prevident and Spatisfihim and of the Council man of the Council of States of States (2) The Council of States shall, as soon as may be, choose a member of the Council to be Deputy Chairman thereof and , so often as the office of Deputy Chairman becomes vacant, the Council shall choose another member to be Deputy Chauman thereof. 90. A member holding office as Deputy Chairman of the Council (a) shall vacate his office if he waves to be a member of the (b) may at any time, by writing undo his hand addressed to the Chairman, resign his office; and (c) may be removed from his office by a resolution of the Council passed by a majority of all the thou members of the Council: Provided that no resolution for the purpose of clause (c) shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution.

91. (1) While the office of Chairman is vacant, or during any period when the Vice-President is acting as, or discharging the functions of President, the duties of the office shall be performed by the Deputy Chairman, or, if the office of Deputy Chairman is also vacant, by such member of the Council of States as the Dresident may appoint for the purpose. (2) During the absence of the Chauman from any sitting of the Council of States the Deputy Chairman, or, if he is also absent, such preson as may be determined by the rules of procedure of the Ecrucial, or, if no such person is present, such other person as may be determined by the Council, shall act as Chairman. 92.11) At any sitting of the Corneil of States, while any resolution Deputy Chairman not to provide while a resolution for his romovat from for the removal of the Vice-President from his office is under consideration, the Chairman, or while any resolution for the removal of the Deputy Chairman from his office is under consideration, the Deputy Chairman, shall not, though he is present, preside, and the provisions of clause (2) of article 91 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Chairman, or, as the case may be, the Deputy Chairman, is absent. (2) The Chairman shall have the right to speak in, and otherwise to take part in the proceedings of, the Council of States white any resolution for the removal of the Vice-President from his office is under consideration in the Council, but, notwithstanding anything in article 100, shall not be entitled to vote about mouch resolution or on any other matter during such proceedings 93. The House of the People shall, as soon as may be, choose two members of the Louse to be respectively Speaker and Doputy Speaker though and, so often as the office of Speaker or Deputy Speaker becomes vacant, the House shall choose unother member to be Speaker or Deputy Speaker, as the case may be. 94. A member holding office as Speaker or Deputy Speaker of the House of the People -(a) shall vacate his office if he ceases to be a memberof the House of the People;

(to may at any time, by writing under his hand addressed, if such member is the Speaker, to the Deputy Speaker, and if such members the Deputy Speaker, to the Speaker, resign his effice; and

(c) may be removed from his office by a resolution of the Fouse of the People passed by a majority of all the then members of the House:

Provided that no resolution for the purpose of clause (c) shall he moved unless at least fourteen days' notice has been given of the intention to move the resolution:

Devided further that, whenever the Thouse of the Prople is dissolved, the Speaker shall not vacate his office until immediately before the first meeting of the Thouse of the People after the dissolution.

95. (1) While the office of Speaker is vacant, the duties of Beaver of the Deputy 95. (1) While the effice of Speaker is vacant, the dulin of Speaker or other person the office shall be performed by the Deputy Greaker or, if the the dulin of the office of Deputy Speaker is also vacant, by such member of the House of the People us the President may appoint for the purpose.

(2) During the absence of the Speaker from any setting of the Louse of the People the Deputy Speaker or, if he is also absent, such power as may be determined by the rules of procedure of the House, or, if no such person is present, such other person as may be determined by the House, shall not as Speaker.

96. (1) At any silling of the Heruse of the People, white any resolution for the removal of the Speaker from his office is under semiduation, the Speaker, or while any resolution for the removal ion of the Deputy Swaker from his office is under consideration, the Deputy Speaker, shall not, though he is present, provide, and the provisions of clause (2) of witche 95 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Speaker, or, as the case may be, the Deputy Speaker, is absent

(2) The Speaker shall have the right to speak in, and otherwise to take part in the proceedings of, the House of the People while any resolution for his removal from office is under consideration in the Thouse

and shall, notwithstanding anything in which 100, he entitled to vote only in the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes. 97. There shall be paid to the Chairman and the Deputy Chairman of the Council of States, and to the Speaker and the Deputy Speaker of the House of the People, such salaises and allowances as may be respectively fixed by Partiament by law and, will provision in that behalf is so made, such salaries and allowances as are specified in the Second Schedule. 98.11) Each Nowe of Parliament shall have a separate secretarial staff: Provided that nothing in this claws shall be construed as prevent ing the creation of posts common to both Houses of Partiament. (2) Parliament may by law regulate the recruitment, and the conditions of service of persons appointed, to the secretarial staff of either Thouse of Parliament. (3) Until provision is made by Parliament under clause(2), the President may, after consultation with the Speaker of the Howe of the Rople or the Chairman of the Council of States, as the case may be, make rules regulating the recuitment, and the conditions of service of possens appointed, to the secretarial staff of the Focuse of the People or the Council of States, and any rules so made shall have effect subject to the previsions of any law made under the said clause. Conduct of Business 99. Every member of either House of Pholiament shall, before taking his sent, make and subscribe before the Provident, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third 100.00 Save as otherwise provided in this Constitution, all questions at any sitting of either House or joint sitting of the Thouse shall be detamined by a majority of votes of the members present and

noting, other show she Speaker or person acting as Chairman or Speaker, or person acting as cruck chall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

(2) Cultin Theme of Partiament shall have prover to act notwithstanding any vacancy in the membership thereof, and any speceedings in Partiament shall be votict notwithstanding that some person who was ing that some person who was

(3) Until Pauliment by Saw Atherwise spreisides, the querum to constitute a meeting of either Lhouse of Pauliament Anall Ne one-tenth of the total number of members of the Louve.

not enlitted so to do sat or voted or otherwise look part in

(4) If at any time during a meeting of a Thouse there is no quorum, it shall be the duty of the Chaisman or Speaker, or person acting as such, either to adjourn the Thouse or to suspend the meeting until there is a quorum.

Disqualifications of members

Vacation of

101. (1) No power shall be a member of both Glovine of Parliament and prevision shall be made by Parliament by law for the vacation by a power who is chosen a member of both Thouses of his soat in one Thouse or the other.

(2) No person shall be a member both of Parliament and of a Shewe of the Legisladure of a State specified in Part A or Part B of the Sixt Schedule, and if a poson is chosen a member both of Parliament and of a Shows of the Legisladure of such a State, then, at the expiration of such specied as may be specified in rules made by the President, that persons seat in Parliament shall become vacant, unless he has proviously resigned his seat in the Segisladure of the State.

(3) If a number of either Above of Philiament car becomes subject to any of the disqualifications mentioned in clawe (1) If which 102, or

(b) resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be, his real shall thereupon become vacant. (4) If for a period of sixty days a number of either House of Parliament is without permission of the House about from all meetings thereof, the House may declare his seat vacant: Provided that in computing the said period of sixty days no account shall be taken of any period during which the Horse is proroqued or is adjourned for more than four consecutive days. 102 (n). A person shall be disqualified for being chosen as, and for being, a member of either House of Parliamentcasif he holds any office of profit under the Government of India or the Government of any State, other than an office declared by Parliament by law not to disqualify its holder; (b) if he is of unsound mind and stands so declared by a compotent count; (c) if he is an undischarged insolvent; (d) if he is not a citizen of India, or has voluntarity acquired the citizenship of a foreign State, or is under any acknowledgment of allegiance or adhorma to a foreign State; (es if he is so disqualified by or under any law made by Parliament. (2) For the purposes of this article a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State by reason only that he is a Minister either for the Union or for such State. 103.0) If any question arises as to whether a member of either House of Pholiument has become subject to any of the disqualifications mentioned in clause (1) of article 102, the question shall be referred for the decision of the President and his decision shall be final (2) Before giving any decision on any such question, the President shall obtain the opinion of the Election E-emmission and

shall not according to such opinion. 104. If a person sits or votes as a member of either Thome of Paliament before he has complied with the requirements of article 99, or when he knows that he is not qualified or that he is disqualified for membership thereof, or that he is prohibited from so doing by the provisions of any law made by Partiament, he shall be liable in respect of each day on which he so sits or votes to a penalty of five hundred rupes to be recovered as a dobt due to the Union. Powers, Privileges and Immunities of Partiament and its Members 105.0) Subject to the provisions of this Constitution and to the rules and standing orders regulating the procedure of Parliament, there shall be freedom of speech in Parliament. (2) No member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of either House of Padiament of any report, paper, votes or proceedings. (3) In other respects, the powers, privileyes, and immunities of each House of Partiament, and of the members and the committees of each House, shall be such as may from time to time be defined by Parliament by law, and, until so defined, shall be these of the House of Commons of the Partiamont of the United Hingdom, and of its numbers and committees, at the commencement of this Constitution. (4) The provisions of clauses (1), (2) and (3) shall apply in relation to persons who by virtue of this Constitution have the right to speak in , and otherwise to take part in the proceedings if, a Thouse of Dintiament or any committee thereof us they apply in relation to members of Parliamont 106 Members of other House of Parliament shall be entitled

do receive such salaries and allowences as may from him to line be determined by Indianent by haw and, whit provision in that respect is so made, when we as were immediately before the commencement of this Constitution applicable in the case of members of the Constituent Assembly of the Dominion of India.

Legislative Procedure

Provisions as to interelection and passing of Bills. 107.09 Subject to the previous of articles 109 and 117 with respect to Money Bills and alter financial Bills, a Bill may originate in either Shows of Penlament.

(2) Subject to the provisions of articles 108 and 109, a Bill shall not be deemed to have been pared by the Downer Parliament unless it has been agreed to by both Dower, either without amendments only a meagreed to by both Down.

(3) I Bill pending in Parliament shall not lapse by reason of the provogation of the Showes.

(4) A Bibl pending in the Council of States which has not been passed by the Accuse of the People shall not bapose on a dissolution of the Accuse of the People.

(5) I Bill which is pending in the House of the People, or which having been harred by the House of the People is fronting in the Evenecil of States, shall, subject to the previsions of article 108, before on a dissolution of the House of the People.

Joint sitting of both House in certain cases. 108.(1) If after a Bill has been passed by one Thouse and hausmitted to the other Noove—

(a) the Bill is rejected by the other Shows; or

(6) the Stower have finally disagreed as to the amoudments
to be made in the Bibl; or

(c) more than six months clapse from the date of the reception of the Bill by the other Down without the Bill being passed by it,

the President may, unless the Bill has lapsed by reason of a

edivolution of the Abouse of the People, notify to the Abouse by mosage if they one sitting or by public notification if they one not sitting, his intention to summen them to meet in a joint citting for the Juspese of deliberating and voting on the Bibl:

Divided that nothing in this clause shall apply lea Money Bill.

(2) In rechang any such period of six months as a referred to in clause (1), no account shall be taken of any point during which the Fleave reformed to in sub-clause (c) of that clause is prorogned or actionned for more than four consecutive days.

(3) Where the President has under chause (1) notified his intention of summoring the Ibeases to neet in a joint sitting, neither Ibease shall proceed further with the Bill, but the President may at any time after the date of his notification summer the Ibeases to neet in a joint sitting for the purpose specified in the notification and, if he does so, the Ibeases shall neet accordingly.

(4) If at the joint sitting of the two Nowo the Bill, with such amendments, if any, as are agreed to in joint sitting, is passed by a majority of the total number of members of both Houses present and voting, it shall be deemed for the purposes of this Constitution to have been passed by both Thomas.

Provided that at a joint sitting-

(a) if the Bill, having been passed by one House, has not been passed by the other House with amendments and retinated to the Flower in which it originalised, no amendment shall be proposed to the Bill other than such amendments (if any) as one made necessary by the delay in the passage of the Bill;

(b) if the Bill has been so passed and returned, enty such amendments as afercial shall be prepared to the Bill and such other amendments as are relevant to the matters with respect to which the

Houses have not agreed; and the decision of the power presiding as to the amendments which are admissible under this clause shall be final. (5) A joint sitting may be hold under this collicte and a Bill passed thereat, netwithstanding that a dissolution of the House of the People has intervowed since the President notified his intention to summon the Glowers to meet therein. 1090 A Money Bill shall not be introduced in the Council u respect of Money 98 ills (2) After a Money Bill has been passed by the House of the People it shall be transmitted to the Council of States for it's recommendations and the Council of States shall within a period of fourteen days from the date of its receipt of the Bill return the Bill to the House of the People with its recommendations and the House of the People may thereupon either accept or reject all or any of the recommendations of the Council of States. (3) If the House of the People accepts any of the recommendations of the Council of States, the Money Bill shall be deemed to have been passed by both Flower with the amendments recommended by the Council of States and accepted by the House of the People. (4) If the House of the People does not accept any of the recommendations of the Council of States, the Money Bill shall be deemed to have been passed by both Houses in the form in which it was passed by the House of the Rople without any of the amendments recommended by the Council of States. (5) If a Money Bill passed by the House of the Seple and bransmitted to the Council of States for its recommendations is not returned to the House of the People within the said period of fourteen days, it shall be deemed to have been passed by both Houses at the expiration of the said period in the form in which it was passed by the House

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110.10 For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely-(a) the imposition, abolition, remission, alteration or regulation of any tax; (1) the regulation of the borrowing of money or the giving of any guarantee by the Government of India, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of India; (c) the custody of the Consolidated Fund or the Contingency Fund of India, the payment of moneys into or the withdrawal of moneys from any such Fund; (d) the appropriation of moneys out of the Consolictated Fund of India; (e) the doctaring of any expenditure to be expenditure charged on the Consolidated Fund of India or the increasing of the amount of any such expenditure; (f) the receipt of money on account of the Consolidated Fund of India or the public account of India or the custody or issue of such money or the audit of the accounts of the Union or of a (9) any matter incidental to any of the matter specified in sub-clauses (a) to (1). (2) A Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or few for services rondored, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax

by any local authority or body for local purposes. (3) If any quartien wises whether a Bill is a Money. Bell or not, the deasion of the Speaker of the House of the Rople thereon shall be final. (4) There shall be endowed on every Money Bill when it is transmitted to the Council of States under article 109, and when it is presented to the President for assent under article 111, the certificate of the Speaker of the House of the People signed by him that it is a Money Bill. Assent to Bills. 111. When a Bill has been passed by the Houses of Pasta ment, it shall be presented to the Provident, and the President shall doctore either that he assents to the Bill, or that he withholds assent therefrom: Provided that the President may, as soon as possible after the presentation to him of a Bill for assent, return the Bill if it is not a Money Poil to the Abouses with a message requesting that they will reconsider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message, and when a Bill is so returned, the Houses shall reconsider the Bill accordingly, and if the Bill is passed again by the Houses with or without amendment and presented to the President for assent, the President shall not withhold assent therefrom Procedure in financial matters 112. (1) The President shall in respect of every financial year cause to be laid before both the Houses of Parliament a statement of the estimated receipts and expenditure of the Government of India for that year, in this Plant referred to as the "annual financial statement". (2) The estimates of expenditive embodied in the annual financial statement shall show separately-(a) the sums required to meet expenditure described by

this Constitution as expenditure changed upon the Consolidated Fund of India; and (4) the sums required to meet other expenditive proposed to be made from the Constituted Fund of India, and shall distinguish expanditure on revenue account from other expenditure. (3) The following expenditive shall be expenditive changed on the Consolidated Frank of India -(a) the curoluments and allowances of the President and other expanditive relating to his office; (1) the salaries and allowances of the Chairmon and the Deputy Chairman of the Corneil of States and the Speaker and the Deputy Speaker of the House of the People; (c) debt charges for which the Government of India is liable including interest, sinking fund charges and redemption charges, and other expenditure relating to the raising of loans and the service and redemption of (d) (is the saluries, allowances and pensions payable to or in respect of Judges of the Supreme Court; (11) the pensions payable to or in respect of Judges of the Federal Count; (sii) the pensions payable to or in respect of Judges of any High Court which exercises jurisdic tion in relation to any area included in the limitery of India or which at any time before the commencement of this Constitution exercised jurisdiction in relation to any area included in a Province correspond ing to a State specified in Part I of the First Schedule; ies the salary, allowances and possion payable to or

in respect of the Comptroller and Studitor General of India; (4) any sums required to salisfy any judgment, decree or award of any court or artifical hibunal; (9) any other expenditive declared by this Constitution or by Padiament by law to be so charged. Proceedure in Parliament with respect to extimates 113. (1) So much of the estimates as relates to expenditure charged when the Consolidated Fund of India shall not be submitted to the rate of Parliament, but nothing in this clause shall be construed as preventing the discussion in either House of Partiament of any of those estimates. (2) To much of the said estimates as relates to other expenditive shall be submitted in the form of demands for grants to the House of the Reple, and the Nouve of the People shall have power to resent, or to refuse to assent, to any domand, or to assent to any demand subject to a reduction of the amount specified therein. (3) No demand for a grant shall be made except on The recommendation of the President: 114. 11) As soon as may be after the grants under article 113 have been made by the House of the People, there shall he introduced a Bill to provide for the appropriation out of the Consolidated Fund of India of all moneys required to (as the grants so made by the Howe of the People; (b) the expanditure charged on the Consolidated Fund of Inclia but not exceeding in any case the amount shown in the statement previously laid before (2) No amendment shall be proposed to any such Bill in either House of Partiament which will have the effect of varying the amount or altering the declination of any grant so made or of varying the amount of my expenditure charged in my the window should be the thinking

on the Consolidated Fund of India, and the decision of the person presiding as to whether an amondment is inadmissible mater this clause shall be final.

(3) Subject to the previous of articles 115 and 116, no naway shall be withcheave from the Consolidated Fund of India except under appropriation made by law passed in accordance with the provisions of this article.

115. (1) The President shall -

Supplementary, additional er excess grants

(as if the amount authorized by any law made in accordance with the provisions of article 114 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has aroun during the current financial year for supplementary or additional expenditure upon some new service not continuously in the annual financial statement for that year, or

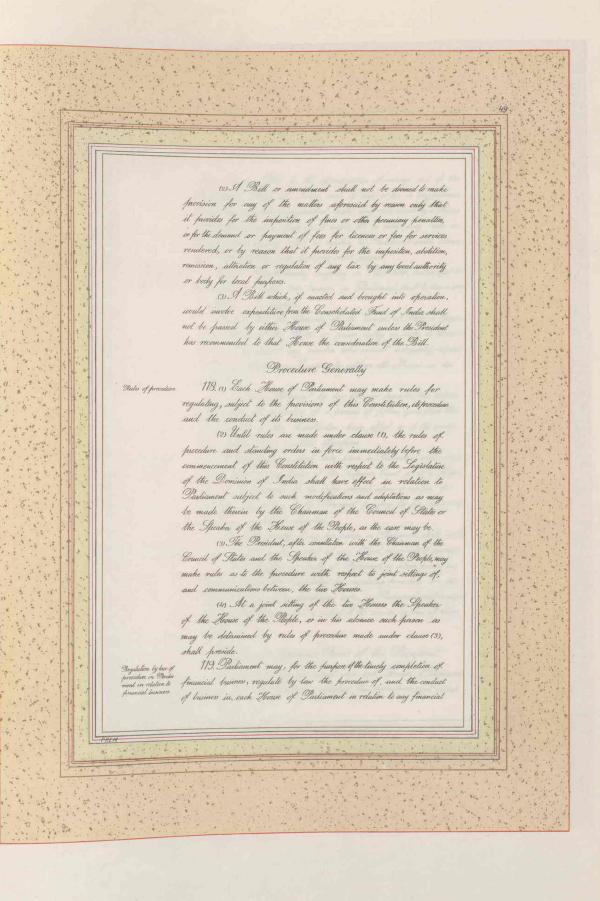
(b) if any money has been shoul on any service during
a financial year in excess of the amount granted
for that service and for that year,

cause to be laid before both the Thouses of Parliament another statement showing the columbial amount of that expenditure or cause to be presented to the Thouse of the People a demand for such excess, as the case may be.

(2) The provisions of uslicks 112, 113 and 114 shall have effect in relation to any such statement and expenditive or demand and also to any law to be made authorising the apprepriation of meneys out of the Consolidated Tund of India to meet such expenditure or the yeart in report of such domand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of meneys out of the Consolidated Tund of India to meet such expenditure or grant.

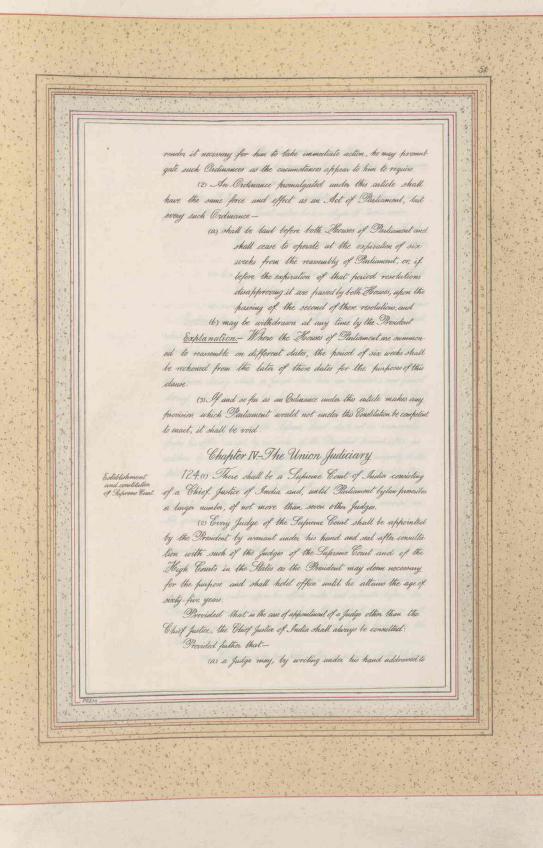
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116. 10 Notivitalanding anything in the foregoing provisions of this Chapter, the Thouse of the People shall have power car to make any grant in advance in respect of the estimated expenditive for a part of any financial year pending the completion of the procedure prescribed in article 113 for the voting of such grant and the passing of the law in accordance with the provisions of article 114 in relation to that expenditive; (6) to make a grant for meeting an unexpected domand upon the resources of India when on account of the magnitude or the indefinite character of the various the demand cannot be stated with the details ordinasily given in an annual financial statement; (c) to make an exceptional grant which forms no host of the current service of any financial year; and Parliament shall have power to authorise by law the withdrawal of moneys from the Consolidated Fund of India for the purposes for which the said grants are made. (2) The provisions of articles 113 and 114 shall have effect in relation to the making of any grant under clause (1) and to any law to be made under that clause as they have effect in relation to the making of a grant with regard to any expenditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet such expenditine. 117.10 A Bill or amendment making provision for any of the matters specified in sub-clause (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States. Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any tax.



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matter or to any Bill for the appropriation of moneys out of the Consolidated Fund of India, and, if and so far as any provision of any law so made is inconsistent with any rule made by a Howe of Parliament under clause (1) of article 118 or with any rule or standing order having effect in relation to Parliament under clause (2) of that article, such provision shall prevail 120.11) Notwitholanding anything in Part XVII, but subject to the provisions of article 348, business in Parliament shall be transacted in Hindi or in English: Provided that the Chairman of the Council of States or Speaker of the House of the People, or person acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the Showse in his (2) Unles Parliament by law otherwise provides, this article shall, after the expiration of a period of fifteen years from the commencement of this Constitution, have effect as if the words "or in English" were omitted therefrom. 121. No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties except whom a motion for presenting an address to the President praying for the removal of the Judge as hereinafter fromided. 122 (1) The validity of any proceedings in Parliament shall not be Courts not to inquire into proceedings of Parliament called in question on the ground of any alleged inegularity of procedure. (2) No officer or member of Parliament in whom powers are vested by or under this Constitution for regulating procedure or the conduct of bruiness, or for maintaining order, in Plantiament shall be outjut to the jurisdiction of any court in respect of the exercise by him of those Chapter III- Legislative Powers of the President 123.11 If at any time, except when both House of Parliament to promotypal broth . The President is satisfied that incumotances exist which of Parliament



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the President, resign his office; (b) a Judge may be removed from his office in the manuar provided in clause (4). (3) A person shall not be qualified for appointment as a Judge of the Supreme Court unless he is a citizen of India and-(a) has been for at least five years a Judge of a High Court or of two or more such Courts in succession; (b) has been for at least lên years an advocate of a High Count in of two or more such Counts in succession; or (c) is, in the opinion of the President, a distinguished jurist. Explanation I. In this clawse "High Court" means a High Court which exercises, or which at any time before the commencement of this Constitution exercised, jurisdiction in any part of the tenitory of India. Explanation 11 .- In computing for the purpose of this clause The period during which a person has been an advocate, any posited during which a person has held judicial office not inferior to that of a district judge after he became an adverate shall be included. in A Judge of the Supreme Court shall not be vernoved from his office except by an order of the President passed after an address by each House of Parliament supported by a majority of the total newborship of that House and by a majority of not less than New-thirds of the members of that House present and voting has been presented to the President in the same session for such removal on the ground of proved mobehaviour or incapacity. (5) Parliament may by law regulate the procedure for the presentation of an address and for the investigation and proof of the mistichavious or incapacity of a Judge under clause (4). (6) Every person appointed labe a Judge of the Supreme Court shall, before he enters upon his office, make and subscribe before the President, or some pason appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third Schedule. (1) No person who has held office as a Judge of the Supreme

Court shall plead or act in any court or before any authority within the tenitory of India. 125. (1) There shall be paid to the Judges of the Supreme Court such salaries as are specified in the Second Schedule. (2) Every Judge shall be entitled to such privileges and allowances and to such rights in respect of leave of alcone and pension as may from time to lime be determined by or under law made by Parliament and, until so determined, to such privileges, allowances and rights as are specified in the Second Schedule: Provided that norther the privileges nor the allowances of a Judge nor his rights in respect of leave of absence or possion shall be varied to his clisadvaulage after his appointment. 126. When the office of Chief Justice of India is vacant or when the Chief Justice is, by reason of absence or otherwise, mustle to perform the duties of his office, the duties of the office shall be performed by such one of the other Judges of the Court as the President may appoint for the purpose. 127.00 If at any line there should not be a quorum of the Judges of the Supreme Court available to hold or continu any session of the Court, the Chief Justice of India may, with the previous consent of the President and after consultation with the Chief Justice of the High Court concerned, request in writing the attendance at the sillings of the Court, as an ad hoc Judge, for such period as may be necessary, of a Judge of a High Court duly qualified for appointment as a Judge of the Supreme Court to be designated by the Chief Justice of India. (2) It shall be the duty of the Judge who has been so designated, in priority to other duties of his office, to attend the sittings of the Supreme Court at the time and for the period for which his attendauce is required, and while so attending he shall have all the jurisdiction, powers and privileges, and shall discharge the duties, of a Judge of the Supreme Court. 128. Notwitholanding anything in this Chapter, the Chief Justice Judge at sittings of the Supremi Emot. of India may at any time, with the provines convent of the President, 16 . . .

request any person who has held the effice of a Judge of the Supreme Court or of the Federal Court to sit and not as a Judge of the Supreme Court, and every such person so request ed shall, while so sitting and acting, be calilled to such allowances we the Provident may by order determine and have all the jurisdiction, powers and privileges of, but shall not otherwise be deemed to be, a Judge of that Court: Provided that nothing in this article shall be deswed to require any such person as aforesaid to set and act as a Judge of that Court suites he consents so to do 129. The Supreme Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself. 130. The Supreme Court shall set in Dethi or in such other place or places, as the Chief Justice of India may, with the approval of the President, from time to time, appoint. 131. Subject to the provisions of this Constitution, the Supreme Court shall, to the exclusion of any other court, have original jurisdiction in any dispute-(as between the Government of India and one or more States; or (b) between the Government of India and any State or States on one side and one or more other States on the other; or (c) between two or more States, if and in so far as the dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends: Provided that the said jurisdiction shall not extend to-(i) a dispute to which a State specified in Part B of the First Schedule is a party, if the dispute urises out of any provision of a treaty, agreement, covenant, engagement, sanad or other similar instrument which was entered into or executed

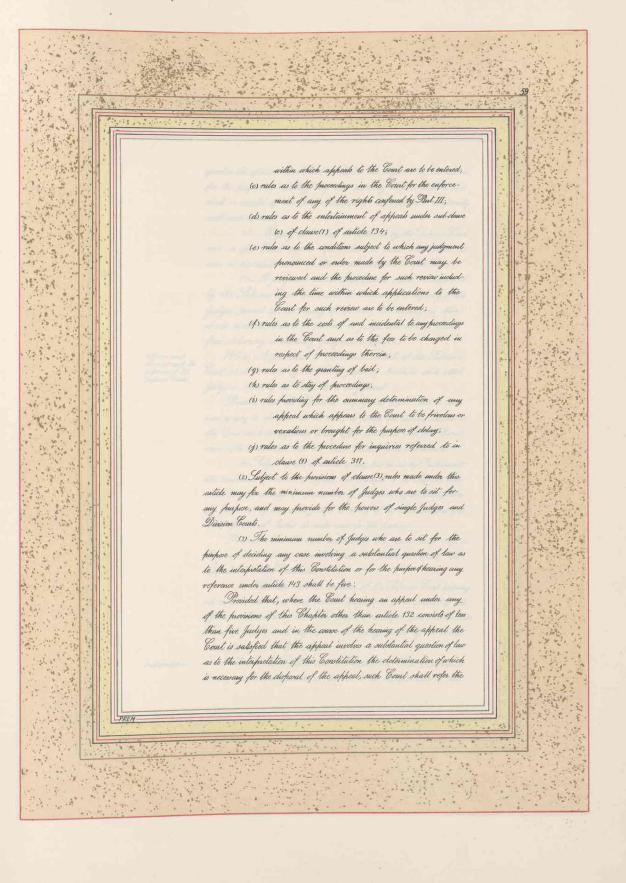
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before the commencement of this Constitution and has, or has been, continued in operation after such commencement; (ii) a dispute to which any State is a party, if the dispute arises out of any provision of a treaty, agreement, covenant, engagement, sanad or other similar institu ment which provides that the said jurisdiction shall not extend to such a dispute. Appellate jurisdic-tion of Supreme Court in appeals from High Court in critain cases. 132.0) An appeal shall lie to the Supreme Court from any judgment, decree or final order of a High Court in the territory of India, whether in a civil, criminal or other proceeding if the High Court certifies that the case involves a substantial question of how as to the interpretation of this Constitution. (2) Where the High Court has refused to give such a certificate, the Supreme Court may, if it is satisfied that the case involves a substantial question of law as to the interpretation of this Constitution, grant special leave to appeal from such judgment, decree or final order. (3) Where such a contificate is given, or such leave is granted, any party in the case may appeal to the Supreme Court on the ground that any such question as aforesaid has been surroughy decided and, with the leave of the Supreme Court, on any other ground Explanation - For the purposes of this article, the expression "final order" includes an order deciding an issue which, if decided in favour of the appellant, would be sufficient for the final disposal of 133. (1) An appeal shall be to the Supreme Court from any judgment, decree or final order in a civil proceeding of a High Court in the tenitory of India if the High Court califies -(a) that the amount or value of the subject-matter of the dispute in the court of first instance and still in dispute on appeal was and is not less than twenty thousand rupees or such other sum as may be specified in that behalf by-Parliament by law; or 李子明 二十

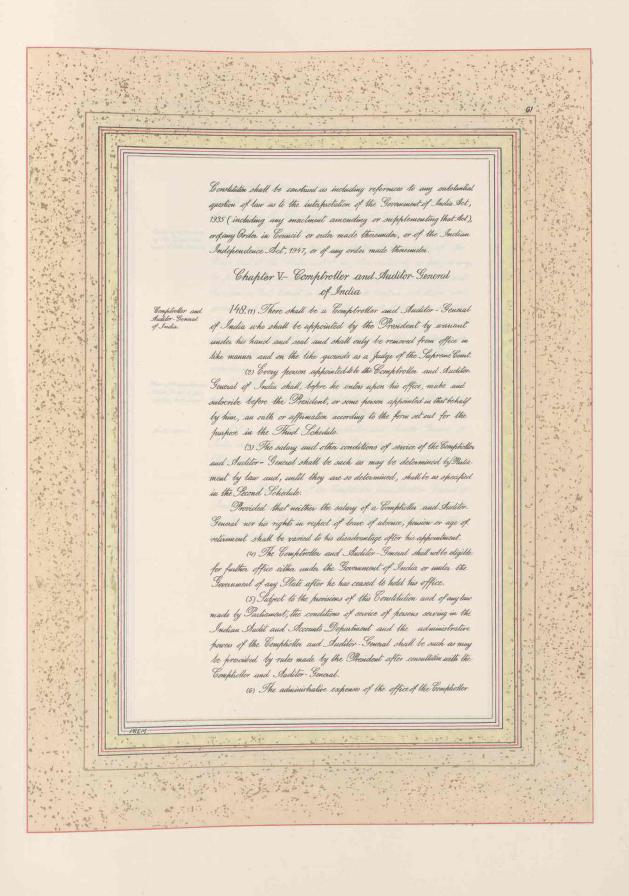
(b) that the judgment, decree or final order involves directly or indirectly some claim or quantion respecting property of the like amount or value; or (c) that the case is a fit one for appeal to the Supreme and, where the judgment, decree or final order appealed from affirms the decision of the court immediately below in any case other than a can referred to in sub-clause (c), if the High Court further certifies that the appeal involves some substantial question of law. (2) Natwithstanding amything in article 132, any party appeal ing to the Supreme Court under clause (1) may urge as one of the grounds in such appeal that a substantial question of law as to the intapretation of this Constitution has been wrongly decided. (3) Notwithstanding anything in this article, no appeal shall, unless Parliament by baw otherwise provides, lie to the Supreme Court from the judgment, decree or final order of one Judge of a High Court. 134.00 In appeal shall be to the Supreme Court from any judgment, final cretes or sentence in a criminal proceeding of a High Court in the tenitory of India if the Lingh Court— (a) has on appeal revessed an order of acquittal of an accused person and sentenced him to death; or (b) has withdrawn for trial before itself any case from any court subordinate to its authority and has in such trial convicted the accused person and sentenced him to death; or (c) certifies that the case is a fit one for appeal to the Supreme Court: Provided that an appeal under sub-clause (o) shall be subject to such previsions as may be made in that behalf unda clause (1) of article 145 and to such conditions as the High Court may establish or (2) Parliament may by law confer on the Supreme bout any further powers to entertain and hear appeals from any judgment, fual order or sontouce in a criminal proceeding of a High Court in the

territory of India subject to such conditions and finitations as may be specified in such law. 135. Until Pertiament by law otherwise provides, the Supreme gursdellen and powers of the Federal Cent under acciding bar to be exercisable by the Suprome Gout. Court shall also have jurisdiction and powers with respect to any matter to which the provision of article 133 or article 134 do not apply if jurisdiction and powers in relation to that matter were exercisable by the Federal Court immediately before the commence ment of this Constitution under any excisting law. Special leave to appeal by the Supreme Bourt 136. (1) Notwithstanding anything in this Chapter, the Supreme 97. Court may, in its discretion, grant special leave to appeal from any judyment, decree, determination, sentence or order in any came or matter passed or made by any court or tribunal in the territory of India. (2) Nothing in clawe (1) shall apply to any judgment, determina tion, sentence or order passed or made by my court or tribunal constituted by or under any how relating to the Armed Forces. 137. Subject to the provisions of any law made by Parliament or Review of judgment or orders by the Suprome Court any rules made under satiste 145, the Supreme Court shall have power A.K to review any judgment pronounced or order made by it. 138. (1) The Supreme Court shall have such further jurisdiction and powers with respect to any of the matters in the Union Led as Parliament may by law confor (2) The Supreme Court shall have such further jurisdiction and powers with respect to any matter as the Government of India and the Government of any State may by special agreement confer, if Parliament by law provides for the exercise of such jurisdiction and powers by the Supreme Court 139. Parliament may by haw confor on the Supreme Court power to Confirment on the Supreme Court of powers to sesse cestam write issue directions, orders or writs, including write in the native of hubeas corpus, mandamus, prohibition, que warrante and certiorari, or any of them, for any purposes other than these mentioned in clause (2) of article 32. 140. Parliament may by law make provision for conforing upon the Supreme Court such supplemental powers not inconsistent with any of the provisions of this Constitution as may appear to be necessary or desirable for the purpose of enabling the Court more effectively to exercise 42

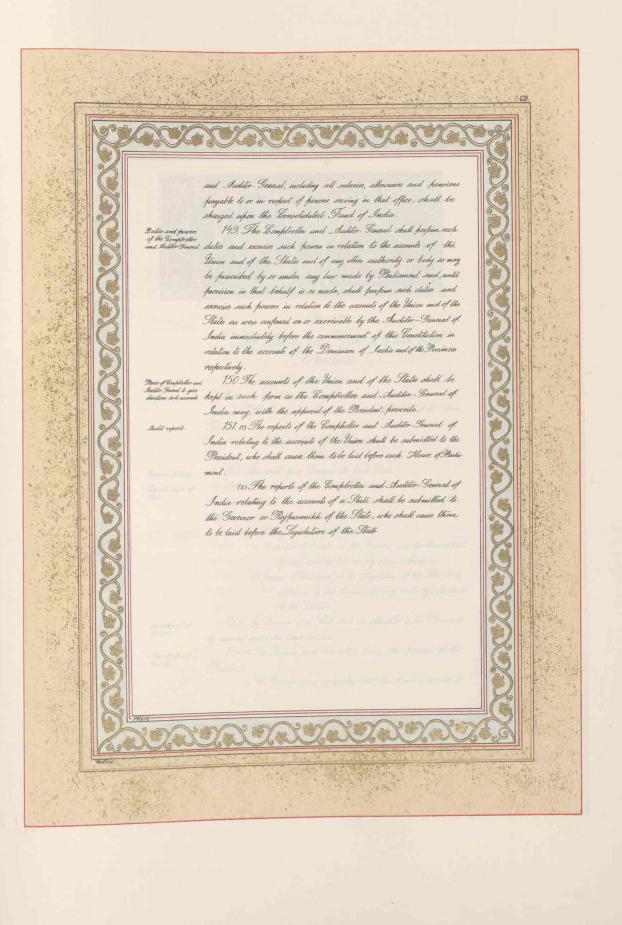
the jurisdiction conforced upon it by or sunder this Constitution 141. The haw declared by the Supreme Court shall be binding on all Saw declared by Supreme Court to be courts within the territory of Inchia. 142(1) The Supreme Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for doing complete justice in any cause or matter pending before it, and any decree so passed or order so made shall be enforceable throughout the territory of India in such manner as may be prescribed by or under any law made by Partia ment and, until provision in that behalf is so made, in such manner as the President may by order prescribe. (2) Subject to the provisions of any law made in this bokalf by Butia ment, the Supreme Court shall, as respects the whole of the territory of India, have all and every power to make any order for the purpose of securing the attendance of any person, the discovery or production of any documents, or the involigation or punishment of any contempt of itself. 143: (1) If at any time it appears to the President that a question of law or fact has ansen, or is likely to arise, which is of such a native and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that Court for consideration and the Sout may, after such hearing as it thinks fit, report to the President its opinion thereon (2) The Provident may, notwithstanding anything in clawe (1) of the provise to article 131, refer a dispute of the kind mentioned in the said claws to the Supreme Ecust for opinion and the Supreme Court shall, after such hearing as it thinks fit, report to the President its opinion thereon. 144. All authorities, civil and judicial, in the tenitory of India Civil and judicial cultivities to act in aid of the Supreme Court, shall act in aid of the Supreme Court. 145.00 Subject to the provision of any law made by Parliament, Aules of Bount, etc. the Supreme Court may from line to time, with the approval of the Provident, make rules for regulating generally the practice and procedure of the Court including -(a) rules as to the persons practing before the Court; (b) rules as to the procedure for hearing appeals and other matters pertaining to appeals including the time

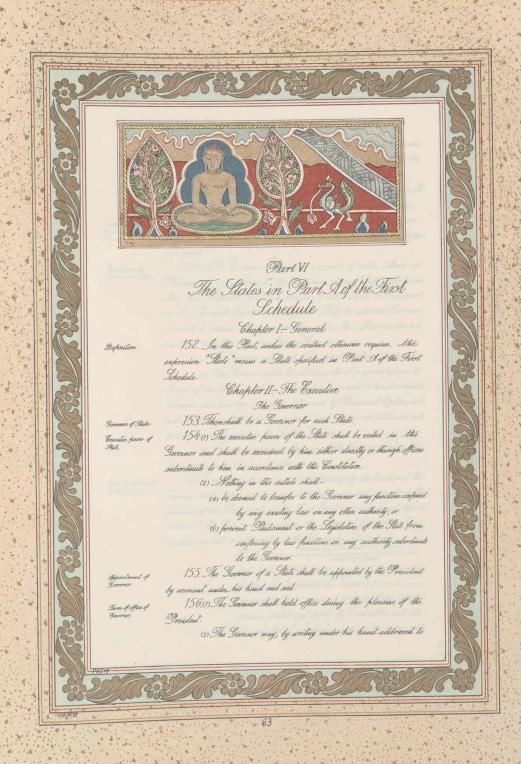


question for opinion to a Court constituted as required by this clause for the purpose of deciding any case involving such a question and shall on receipt of the opinion dispose of the appeal in conformity with such opinion (4) No judgment shall be delivered by the Suprome Erent save in open Court, and no report shall be made under enticle 143 save in accordance with an opinion also delivered in open Court. (5) No judgment and no such opinion shall be delivered by the Supreme Court save with the consumers of a majority of the Judges present at the hearing of the case, but nothing in this clause shall be deemed to prevent a Judge who does not concur from delivering a dissenting judgment or opinion Officers and servants and the expenses of the Supreme Gent, 146.0) Appointments of officer and sevents of the Supreme Court shall be made by the Chief Justice of India or such other Judge or office of the Court as he way direct: Provided that the President may by rule require that in such cures as may be specified in the rule, no person not already attached to the Court shall be appointed to any office connected with the Court, save after consultation with the Union Public Service Commission. (2) Subject to the provisions of any law made by Parliament, the conditions of source of officers and sewants of the Supreme Court shall be such as may be prescribed by rule made by the Chief Justice of India or by some other Judge or officer of the Court authorized by the Chief Justice of Inclia to make rates for the purpose: Provided that the rules made under this clause shall, so far as they relate to salaries, allowances, leave or pensions, require the approval of the President. (3) The administrative expenses of the Supreme Court, including all salaries, allowances and pensions payable to or in respect of the officers and servants of the Court, shall be charged upon the Constituted Fund of India, and any fees or other moneys taken by the Court shall form part of that Fund. 147. In this Chapter and in Chapter V of Part VI, references to any substantial question of law as to the interpretation of this



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the President, resign his office. (3) Subject to the foregoing provisions of this article, a Governor shall hold office for a term of five years from the date on which he enters whon his office: Drovided that a Governor shall, notwitholanding the expiration of his term, continue to hold office until his successor enters upon his office. 157. No person shall be eligible for appointment as Governor unless he is a citizen of India and has completed the age of thirtyfive years. Conditions of Governors office. 158.00. The Governor shall not be a member of either Showse of Parliament or of a Thome of the Legislature of any State specified in the First Schedule, and if a member of either House of Parliament or of a Those of the Legislature of any such State be appointed Governor, he shall be deemed to have vacated his seat in that House on the date on which he enters upon his office as Governor. (2) The Governor shall not hold any other office of profit. (3) The Governor shall be culitled without payment of rent to the use of his official residences and shall be also entitled to such condumnts, allowances and privileges as may be determined by Parliament by how and, until provision in that behalf is so made, such emoluments, allowance and privileges as are specified in the Second Schedule. (4) The empluments and allowances of the Governor shall not be diminished during his term of office. 159 Every Governor and every person discharging the functions of the Oath or affirmation by the Sovernor Sovernor shall, before entering upon his office, make and subscribe in the presence of the Chief Justice of the High Court exercising jurisdiction in robution to the State, or, in his absence, the seniorment Judge of that Court available, an oath or affirmation in the following form, that is to say-I. S. B., do - swear in the name of God 5-1 that I will faithfully execute the office of Governor (or discharge the functions of the Governor) of -(name of the State) and will to the bot of my ability preserve, protect and defend the Constitution and the haw and that I will devote myself to the service and

well-being of the people of -- (name of the State)". 160. The President may make such prevision as he thinks fet for the discharge of the functions of the Governor of a State in any contingency not provided for in this Chapter. 161. The Governor of a State shall have the power to growt pardons, any law relating to a matter to which the executive power of the State extends 162. Subject to the provisions of this Constitution, the executive Extent of execution power of State. power of a State shall extend to the matters with respect to which the Legislature of the State has power to make laws: Provided that in any matter with respect to which the Topicaline of a State and Parliament have power to make laws, the executive power of the State shall be subject to, and limited by the executive power expressly confened by this Constitution or by any law made by Parliament upon the Union or authorities thereof. Council of Ministers 163.0) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Gevernor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion. (2) If any question arises whether any matter is or is not a matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion. (3) The question whether any, and if so what, achieve was lendered by Ministers to the Governor shall not be inquired into 164. (1) The Chief Minister shall be appointed by the Governor

and the other Ministers shall be appointed by the Governor on the achieve of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor: Provided that in the States of Phihas, Madhya Pradesh and Orissa, there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Schiduled Eastes and backward classes or any other work. (2) The Council of Ministers shall be collectively responsible to the Legislative Assembly of the State. (3) Before a Minister enters upon his office, the Governor shall administer to him the cather of office and of secrecy according to the forms set out for the purpose in the Third Schedule. (4) A Minister who for any period of six consecutive months is not a member of the Segislature of the Rate shall at the expiration of that period cease to be a Minister. (5) The salaries and alterrances of Ministers shall be such as the Sejulature of the State may from time to time by law determine and, until the Segistatime of the State so determines, shall be as specified in the Second Schedule The Advocate-General for the State Advocate-General for the State 165. (1) The Governor of each State shall appoint a peson who is qualified to be appointed a Judge of Thigh Court to be Advocate Guard for the State. (2) It shall be the duty of the Advocate General to give advice to the Government of the State upon such legal malters, and to perform such other duties of a legal character, as may from time to time be refound or assigned to him by the Tovernor, and to discharge the functions confined on him by or under this Constitution or any other law for the time being in force. (3) The Advocate-General shall hold office during the pleasure of the Governor, and shall receive such remuneration as the Governor may determine. Conduct of Government Business 166 (1) All executive action of the Government of a State shall be expressed to be taken in the name of the Governor. (2) Orders and other instruments made and executed in the name

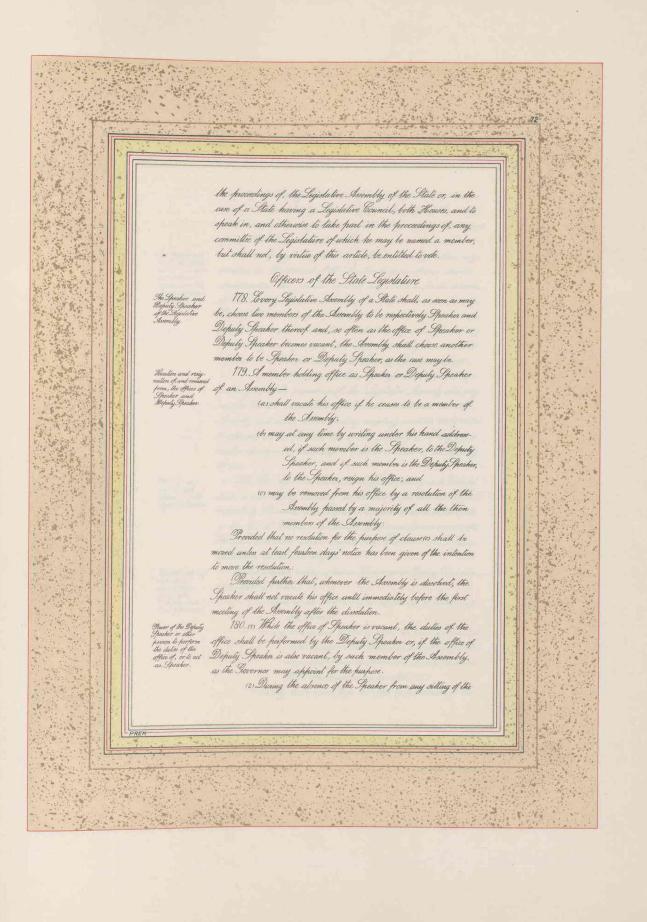
of the Gwerner shall be authenticated in such manner armon be specified in rules to be made by the Governor, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by (3) The Governor shall make rules for the more convenient transaction of the business of the Government of the State, and for the association among Ministers of the said business in so far as it is not business with respect to which the Governor is by or under this Constitution required to act in his discretion. Dulies of Chief Minister as respect the furnishing of information to 167. It shall be the duty of the Chief Minister of each Rate-(a) to communicate to the Governor of the State all decisions of the Council of Ministers relating to the administration of the affairs of the State and proposals for legislation; (b) to furnish such information relating to the administration of the affairs of the State and proposals for legislation as the Governor may call for; and (c) if the Governor so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council. Chapter III - The State Legislature General 168.00 For every State there shall be a Legislative which shall consist of the Governor, and (as in the States of Bihar, Bombay, Madras, Pinjal, the United Provinces and West Bengal, two Houses; (b) in other States, one House. (2) When there are two Houses of the Legislature of a State, one shall be known as the Segislative Council and the other as the Legislative Assembly, and where there is only one House, it shall be known as the Legislative Assembly.

169(1) Noticithestanding anything in article 168, Parliament may by law provide for the abolition of the Segislative Council of a State having such a Council or for the creation if such a Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Anembry and by a majority of not less than two thirds of the members of the Swemby present and (2) Any law referred to in clause (1) shall contain such previsions for the amondment of this Econstitution as may be necessary to give effect to the provisions of the law and may also contain such supple mental, incidental and consequential provisions as Parliament may (3) No such law as aforesaid shall be deemed to be an amend ment of this Constitution for the purposes of article 368. 170 o Subject to the provisions of article 333, the Legislative Assembly of each State shall be composed of members chosen by direct election. (2) The representation of each territorial constituency in the Legislative Assembly of a State shall be on the basis of the population of that constituency as ascertained at the last preceding consus of which the relevant figures have been published and shall, save in the case of the autonomous districts of Assam and the constituency comprising the cantonment and municipality of Shillong, be on a scale of not more than one member for every sevenly five thousand of the population: Provided that the total number of members in the Legislative Assembly of a State shall in no case be more than five hundred or less than sixty. (3) The ratio between the number of members to be abouted to each territorial constituency in a State and the population of that constituency as ascertained at the last preceding consus of which the relevant figures have been published chall, so far as practiculte, be the same throughout the State. (4) Upon the completion of each census, the representation of the several territorial constituencies in the Legislative Assembly of each

State shall be readjusted by such authority, in such manner and with effect from such date as Parliament may by law determine: Provided that such readjustment shall not affect representa-Sion in the Legislative Assembly until the dissolution of the thon existing Avently. 171.09 The letal number of members in the Tegislutive Council of a State having such a Council shall not exceed one-fourth of the total number of members in the Legislative Assembly of that State: Provided that the total number of members in the Legislative Council of a State shall in no case be bes than forty. (2) Until Parliament by law otherwise provider, the composition of the Logistative Council of a State shall be as provided in clause (3). (3). Of the Istal number of members of the Legislative Corneil of a State -(a) as nearly as may be, one-third shall be elected by electorales consisting of members of municipalities, district bourds and such other local authorities in the State as Parliament may by law specify. (6) as nearly as may be, one-twelfth shall be elected by electorates consisting of persons residing in the State who have been for at least three years graduates of any university in the territory of India or have been for at least three years in possession of qualifications prescribed by or under any law made by Parliament as equivalent to that of a graduate of any such university; (c) as nearly as may be, one twelfth shall be elected by electorates consisting of persons who have been for at least three years onguged in teaching in such educational institutions within the State not lower in standard than that of a secondary school, as may be prescribed by or under any law made by. (d) as nearly as may be, one-third shall be elected by the

members of the Segislative Assembly of the State from amongst persons who are not membersofthe Swembly; (c) the remainder shall be nominated by the Governor in accordance with the provisions of clause (5). (4) The members to be elected under sub clauses (a), (b) and (c) of clause (3) shall be chosen in such territorial constituencies as may be prescribed by or under any law made by Parliament, and the elections under the said sub-clawes and under sub-clause (d) of the said clause shall be held in accordance with the system of proportional represents tion by means of the single transferable vote. (5) The members to be nominated by the Governor under subclause (e) of clause (3) shall consist of persons having special knowledge or practical experience in respect of such matters as the following, Titorature, science, art, co-operative movement and social service. 172.00 Every Legislative Assembly of every State, under ocener discoved, shall continue for five years from the date appointed for its first meeting and no longer and the expiration of the said period of five years shall operate as a dissolution of the Assembly: Provided that the said period may, while a Proclamation of Emergency is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Produmation has coved to operate. (2) The Legislative Council of a State shall not be subject to dissolution, but as nearly as parible one third of the membersthereof shall reline as soon as may be on the expiration of every second year in accordance with the provisions made in that behalf by 173. A person shall not be qualified to be chosen to fill a real in the Legislature of a State unless he -(a) is a citizen of India; (b) is, in the case of a seat in the Legislative Assembly, not less than twenty-five years of age and, in the

case of a seat in the Legislative Council, not less than thirty years of age; and (c) passesses such other qualifications as may be prescribed in that behalf by or under any law made 174. (1) The Thouse or Thouses of the Legislature of the State shall Persions of the State be summoned to meet livice at least in every year, and six months shall not intervene between their last sitting in one session and the date appointed for their first sitting in the next serion. (2) Subject to the previsions of clause (1), the Governor may from time to time -(as summon the Floure or either Floure to meet at such time and place as he thinks fit; to proroque the House or Houses; (c) dissolve the Legislative Assembly. 175.00 The Governor may address the Legislative Assembly or, in the case of a State having a Segislative Council, either Škouse of the Legislature of the State, or both Abouses assembled together, and may for that purpose require the attendance of members. (2) The Governor may send messages to the House or Houses of the Segislature of the State, whether with respect to a Bill then pending in the Legislature or otherwise, and a House to which any merage is so sent shall with all convenient despatch consider any malter required by the message to be taken into consideration. 176. 1. At the commencement of every session, the Governor shall address the Legislative Assembly or, in the case of a State having a Legislative Council, both Houses assembled together and inform the Legislature of the causes of it's summons. (2) Prevision shall be made by the rules regulating the procedure of the House or either House for the allotment of time for discussion of the matter referred to in such address and for the precedence of such discussion over other business of the House 177. Every Minister and the Advocate-General for a State and Advant General American Shall have the right to speak in, and otherwise to take part in



Assembly the Deputy Speaker or, if he is also absent, such person as may be determined by the rules of procedure of the Assembly, or, if no such person is present, such other person as maybe determined by the Assembly, shall act as Speaker. 181 or At any sitting of the Legislative Assembly, white any resolution for the removal of the Speaker from his office is under consideration, the Speaker, or while any resolution for the removal of the Deputy Speaker from his office is under consideration, the Deputy Speaker, shall not, though he is present, preside, and the provisions of clause (2) of article 180 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Speaker or, as the case may be, the Deputy Speaker, is absent (2) The Speaker shall have the right to speak in , and otherwise to take part in the proceedings of, the Legislative Assembly white any resolution for his removal from office is under consideration in the Assembly and shall, notwithstanding anything in article 189, be entitled to vote only in the first instance on such resolution or on any other maller during such proceedings but not in the case of an equality 182. The Legislative Council of every State having such Council shall, as soon as may be, choose two members of the Council to be respectively Chairman and Deputy Chairman thereof and, so often as the office of Chairman or Deputy Chairman becomes vacant, the Council shall choose another member to be Chairman or Deputy Chairman, as the case may be. 183. A member holding office as Chairman or Deputy Chairman nation of, and removal from, the offices of Chavemore and Deputy Chavema of a Segislative Council-(a) shall vacate his office if he ceases to be a member of the Council; (may at any time by writing under his hand addressed, if such member is the Chairman, to the Deputy Chair man, and if such member is the Deputy Chairman, to the Chairman, resign his office; and (c) may be removed from his office by a resolution of the

to like find in the previous of the Topolatic Sweets with one weeten for his reacces from of the inventor construction in the

Council passed by a majority of all the Meen members of the Council:

Provided that no resolution for the purpose of clause(es shall be moved unless at least fourteen days notice has been given of the intention to move the resolution.

Peace of the Sepuig Charman or other person to perform the duties of the office of, or to not as, Chairman 184(s) While the office of Chairman is vacant, the stutis of the office shall be performed by the Deputy Chairman or if the office of Deputy Chairman is also vacant, by such member of the Council as the Governor may appoint for the purpose.

(2) During the alconce of the Chairman from any sitting of the Council the Doputy Chairman or, if he is also alcont, such person as may be determined by the rules of procedure of the Council, or, if no such posson is present, such other person as may be determined by the Council, shall act as Chairman.

The Chairman or the Deputy Chair man not to provide white a resolution for his removal from office is under consideration. 18.5.(1) At any sitting of the Legislative Ecuncil, white any resolution for the removal of the Chairman from his effice is under consideration, the Chairman, or white any resolution forthe removal of the Deputy Chairman from his office is under consideration, the Deputy Chairman, shall not, though he is present, preside, and the provisions of clause (2) of article 184 shall apply in relation to every such silling as they apply in relation to every such silling as they apply in relation to a sitting from which the Chairman or, as the case may be, the Deputy Chairman is about:

(2) The Chairman shall have the right to epeak in , and chause to take part in the proceedings of the Segislative Council while any resolution for his removal from office is under consideration in the Tourid and shall, notivitisfauding anything in article 189, to entitled to vote only in the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes.

Sakeres and allow ance of the Tracker and Dobuly Seaker and the Ehavman and Dopuly Shau mon 186 There shall be paid to the Speaker and the Deputy Speaker of the Legislative Issembly, and to the Chairman and the Deputy Chairman of the Legislature Council, such salaries and alternative as may be respectively fixed by the Legislature of the State by law and, write provision in that behalf is so made, such salaries and alternative

as are specified in the Second Schedule. 187.00 The Shouse or each House of the Logislature of a State shall have a separate secretarial staff. Provided that nothing in this clause shall, in the case of the Legislature of a State having a Legislative Council, be construed as preventing the creation of posts common to both Houses of such Legislature. (2) The Legislature of a State may by law regulate the remit mont, and the conditions of source of persons appointed, to the secretarial staff of the House or Louses of the Legislature of the (3) Until provision is made by the Legislative of the State under clause (2), the Governor may, after consultation with the Speaker of the Legislative Assembly or the Chairman of the Legislative Council, as the case may be, make rules regulating the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the Assembly or the Council, and any rules so made shall have effect subject to the provisions of any law made under the said clause Conduct of Business 188. Every member of the Legislative Assembly or the Legislative Council of a State shall before taking his seat, make and subscribe before the Governor, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third Schedule. 189.00 Save as otherwise provided in this Constitution, all questions at any sitting of a House of the Legislature of a State shall be determined by a majority of votes of the members present and voting, other than the Speaker or Chairman, or person acting as such. The Speaker or Chairman, or person acting as such, shall not vote in the first instance, but shall have and exercise a casting rote in the case of an equality of votes. (2) A Thouse of the Legislature of a State shall have power to act notwithetanding any vacancy in the membership thereof, and

Strate Belleville and the second section of the second of the second water of the state of the state of the state of

any proceedings in the Segislative of a State shall be valid notwith standing that it is discovered subsequently that some person who was not entitled so to do sat or voted or otherwise look part in the proceedings. (3) Until the Legislature of the State by law otherwise provides, the quorum to constitute a meeting of a House of the Legislature of a State shall be ten members or one-tenth of the total number of members of the House, whichever is greater. (4) If at any time during a meeting of the Legislative Aventhy or the Legislative Council of a State there is no quorum, it shall be the duty of the Speaker or Chairman, or person acting as such, either to adjourn the House or to surpend the meeting until there is a quorum. Disqualifications of Members 190.00 No person shall be a member of both House of the Legisla-Vacation of Stats. ture of a State and provision shall be made by the Legislative of the State by law for the vacation by a person who is chasen a member of both Houses of his seat in one House or the other. (2) No person shall be a momber of the Legislature of two or more States specified in the First Schedule and if a presen is ishoven a momber of the Legislatures of live or more such States, then, at the expiration of such period as may be specified in rules made by the President, that person's seat in the Segislatures of all such States shall become vacant, unless he has proviously resigned his seat in the Legislatures of all but one of the States (3) If a member of a House of the Legislature of a State -(a) becomes subject to any of the disqualifications mentioned in clause (1) of article 191; or (b) noigns his seat by writing under his hand addressed to the Speaker or the Chairman, as the cave may be, his seat shall theroupon become vacant. (4) If for a period of sixty days a member of a House of the Legislature of a State is without permission of the Thouse absent from all meetings thereof the House may declare his real vacant:

Provided that in computing the said period of sively clays no account shall be laken of any period during which the Llouve is proregued or is adjourned for more than four consecutive days.

Woqualifications fo mombership 191. (1) Il person shak be disqualified for being chosen as and for being, a momber of the Segislative Issembly or Segislative Council of a State—

(a) if he holds aws office of profit under the Government of India or the Sovernment of any State opecified in the First Schedule, other than an office declared by the Segislature of the State by law not to disquality its helder:

(6) if he is of unsound mind and stands so etclased by a competent court;

(c) if he is an undischarged insolvent;

(ds if he is not a cibien of India, or has votuntarily acquired
the cibizenohip of a fereign State, or is under any
acknowledgment of ablegiance or adhorence he a
foreign State;

(e) if he is so disqualified by or under any taw made by Parliament

(z) For the purpose of this article, a person shall not be elected to held an effice of profit under the Government of India or the Government of any State specified in the First Schedule by reason only that he is a Almider either for the Union or for ouch Itale.

Decision in questions as to disgnalifications of members

192.(1) If any question arises as to whether a momber of a Ibewe of "The Tegislature of a State has become subject to any of the disquiblications mentioned in clause (1) of which 191, the question shall be referred for the decision of the Governor and his decision shall be final.

(2) Before giving any decision or any such question, the Governor shall obtain the opinion of the Olection Commission and shall not according to such opinion.

Parally fricting and 193. If a person sils or votes as a member of the Legislative Assembly viting industry with or the Legislative Assembly and substitute of the Legislative Council of a State before he has compliced with the send qualified or the Legislative Council of a State before he has compliced with the send qualified or when the proposition requirements of article 198, or when he knows that he is not qualified or

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that he is disqualified for membership thereof, or that he is prohibited from so doing by the previsions of any law made by Parliament or the Legislative of the State, he shall be liable in respect of each day on which he so sits or votes to a penalty of five hundred rupes to be recovered as a debt due to the State. Powers, Privileges and Immunities of State Logislatures and their Members 194,00 Subject to the previsions of this Constitution and to the rules and standing orders regulating the procedure of the Legislature, there shall be (2) No member of the Legislature of a State shall be dialte to any proceedings in any court in respect of anything said or any vote given by him in the Legislature or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of a Focuse of such a Legislature of any report, paper, votes or proceedings. (3) In other respects, the powers, frivileges and immunities of a Nouse of the Legislature of a State, and of the members and the committees if a House of such Legislature, shall be such as may from time to time be defined by the Segislature by law, and, until so defined, shall be there of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution. (4) The previsions of clauses (1), (2) and (3) shall apply in relation to persons who by virtue of this Constitution have the right to speak in, and otherwise to take part in the proceedings of, a House of the Legislature of a State or any committee thereof as they apply in relation 195, Members of the Legislative Assembly and the Legislative Council of a State shall be onlitted to receive such salaries and allowances as may from time to time be determined by the Segislature of the State by law and until provision in that respect is so made, salaries and allowances at such rates and , when such conditions as were immediately before the economercoment of this Constitution applicable in the case of members of the Legislative According of

the corresponding Prevince.

Legislative Drocedure

Provisions as to introduction and passing of Bills.

196.(v) Subject to the provisions of articles 198 and 207 with respect to Money Bills and other financial Bills, a Bill mayoriginate in either Source of the Legislative of a State which has a Segislative bouncil.

(2) Subject to the provisions of intictes 197 and 198, a Bottshall not be deemed to have been passed by the Skowses of the Segislature of a State having a Legislature Council unless it has been agreed to by both Showses, either without amendment or with such amendments only as are agreed to by both Showses.

(3) A Bill pending in the Legislature of a State shall not lapse by reason of the proregation of the Down or Down thereof.

(4) A Brill pending in the Legislative Ecuncil of a State which has not been passed by the Segislative Accombly shall not lapse

en a classitution of the Assembly. 15-I Bill which is pending in the Legislative Assembly of a State, or

which having been haved by the Legislative Aventhy is pending in the Legislative Eventhy is heading in the Legislative of the Avending in the Legislative of the Avending in the Legislative of the Legisla

(a) the Bill is rejected by the Council; or

(b) more than three mouths etapse from the date on which the Bill is laid before the Council without the Bill being passed by it; or

(c) the Bitt is parsed by the Council with amendments to which the Legislative Assembly does not agree,

the Segislative Assembly may, subject to the rules regulating its procedure, far the Bill again in the same or in any subsequent session with or without such amendments, if any, as have been made, suggested or agreed to by the Segislative Council and then bransmit the Bill as so passed to the Segislative Council.

(2) If after a Bill has been so passed for the second time

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by the Legislative Ascembly and bianomitted to the Legislative in the Bill is rejected by the Council; or is more than one mouth clapse from the date on which the Bill is laid before the Council without the Bill being passed by it; or (c) the Bell is paired by the Council with amendments to which the Legislative Iwombhy down not agree, the Bill shall be deemed to have been passed by the Abourse of the Tegislature of the State in the form in which it was passed by the Ligislative Assembly for the second time with such amendments, if any, as have been made or suggested by the Legislative Council and agned to by the Segiolative Avembly (3) Sething in this article shall apply to a Money Bill. 198.00 A Money Bell shall not be introduced in a Topicaline (2) After a Money Bill has been passed by the Legislative Arombhy of a State having a Segislative Council, it shall be transmitted to the Segislative Council for its recommendations, and the Segislative Council shall within a period of fresten days from the date of its reacht of the Bill return the Bill to the Legislative Assembly with its recommendations, and the Legislative Assembly may thoreupon either accept or reject all or any of the recommendations of the Legislative Council. (3) If the Tegislative Avembly accepts any of the recommendations of the Legislative Council, the Money Bill shall be deemed to have been passed by both Hower with the amendments recommended by the Legisla tive Council and accepted by the Legislative Awembly (4) If the Legislative Arombly does not accept any of the recommendations of the Legislative Council, the Money Bill shall be deemed to have been passed by both Llouver in the form in which it was passed by the Segistative Assembly without any of the amendments recommended by (5) If a Money Bill passed by the Legislative Assembly and transmitted to the Legislative Council for its recommendations is

34 not returned to the Legislative Assembly within the said period of fourteen days, it shall be deemed to have been passed by both Houses at the expination of the said period in the form in which it was passed by the Legislative Assembly 199 (1) For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the following matters, namely-(a) the imposition, abolition, remission, alteration or regulation of any tax; (b) the regulation of the borrowing of money or the giving of any quarantee by the State, or the amondment of the law with respect to any financial obligations undertoken or to be undertaken by the State; (c) the custody of the Emsolidated Fund or the Contingency P Fund of the State, the payment of moneys into or The withdrawal of moneys from any such Fund; (de the appropriation of moneys out of the Convolidated Fund of the State; (c) the declaring of any exponditure to be expenditure charged on the Convolidated Fund of the State, or the increasing of the amount of any such expenditure; (4) the receipt of money on account of the Consolidated Fund of the State or the public account of the State or the custody or issue of such money; or (4) any matter incidental to any of the matters specified in (2) A Bill shall not be deemed to be a Money Bill by reason only that it provides for the importion of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered. or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any lace by any local authority or body for local purposes. (3) If any question arises whether a Bill introduced in the Legisla ture of a State which has a Legislative Council is a Money Bill or not, the decision of the Speaker of the Legislative Assembly of such State PREM

to the product of the beautiful to the state of the state

thereon shall be final. 40 There shall be endorsed on every Money Bill when it is transmitted to the Legislative Ecunal under article 198, and when it is presented to the Governor for assent under article 200, the certificate of the Speaker of the Legislative Assembly signed by him that it is a Money Bill 200. When a Bill has been passed by the Legislative Avembly Avent to Bills of a State or, in the case of a State having a Legislative Council has been passed by both Louses of the Segislature of the State, it shall be presented to the Gavernor and the Gavernor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President. Provided that the Governor may, as soon as passible after the presentation to him of the Bill for assent, roturn the Bill if it is not a Money Bill lighter with a menage requesting that the House or House will re consider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when a Bill is so returned the House or House shall reconsider the Bill accordingly, and if the Bill is passed again by the House or Louses with or without amondment and presented to the Governor for assent, the Sovernor shall not withhold and therefrom Provided further that the Governor shall not assent to, but shall reserve for the consideration of the President, any Bill which in the opinion of the Governor would, if it became law, so derogate from the powers of the High Court as to endanger the position which that Court is by this Emstitution designed to fill. 201. When a Bill is reserved by a Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds arount therefrom: Provided that, where the Bill is not a Monoy Bill the Provident may direct the Governor to return the Bibl to the House or, as the case may be, the Thouse of the Legislature of the State logether with such a merage as is mentioned in the first provise to article 200 and, when a

Bill is so returned, the House or Houses shall reconsider it accordingly within a period of six mouths from the date of receipt of such message and, if it is again passed by the House or Houses with or without amondment, it shall be presented again to the President for his considera-Procedure in Financial Matters 20211 The Governor shall in respect of every financial year cause to be laid before the Acuse or Houses of the Legislature of the State a statement of the estimated receipts and exponditure of the State for that year, in this Clart referred to as the "annual financial statement". (2) The estimates of expenditure embedied in the annual financial statement shall show separately -(a) the sums required to meet expenditure described by this Constitution as expenditure charged upon the Constituted Fund of the State; and (to the sums required to meet other expenditure proposed to be made from the Convolidated Fund of the State; and shall distinguish expenditure on revenue account from other expenditure. (3) The following expanditure shall be expanditure charged on the Consolidated Fund of each State -(a) the encluments and allowances of the Governor and other expenditure relating to his office; (4) the valuries and altinances of the Speaker and the Deputy Speaker of the Topilative Swembly and, in the case of a State having a Sogistative Council, also of the Chairman and the Deputy Chairman of the Legislative Council; (c) debt charges for which the State is liable including interest, sinking fund charges and redomption charges, and other expenditure relating to the raising of loans and the service and redemption of debt; (d) expenditure in respect of the salaries and allowances of Judges of any High Court;

(e) any sum required to satisfy any judgment, decrees award of any court or arbitral tribunal;

(f) any other expenditure declared by this Constitution, or by

Procedure in Agustaliano with respect to entimates. The Logislature of the State by law to be so changed.
203(6) So much of the estimatio as relates to expenditure changed upon the Econolidated. Simil of a State shall not be submitted to the vote of the Legislative Axombly, but nothing in this clause shall be continued as proventing the discussion in the Legislature of any of these estimates.

(2) So much if the said estimates as relates to other exponditure shall be submitted in the form of domands for grants to the Legislative Assembly, and the Legislative Assembly shall have power to assent, or to refuse to assent, to any domand subject to a reduction of the amount specified therein.

(3) No domand for a grant shall be made except on the recommendation of the Swerner

Appropriation Bells.

204.00. As soon as may be after the grants under article 203 have been made by the Issembly, there shall be introduced a Bill to posside for the apprepriation out of the Sensetidated Fund of the State of all moneys required to meet—

(a) the grants so made by the Accombly; and
(b) the expenditure charged on the Consolidated Fund it the
State but not exceeding in any case the amount shown
in the statement proviously laid before the Howe or
Thouses.

(2) So amendment shall be proposed to any such Bill in the Flowe or idea. It was the Source of the Source of the State which will have the effect of varying the amount or aftering the destination of any grant so made or if varying the amount of any expenditure charged on the Ecochidated Fund of the State, and the decision of the poem presiding as to whether an amendment is inadmissible under this claws shall be final.

(3) Subject to the provisions of articles 205 and 206, no money shall be withdrawn from the Convolidated Fund of the State except under appropriation mode by law passed in accordance with the

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Supplementary, adultimal er excess grants provisions of this article. 205 (n) The Governor shall —

(a) if the amount authorised by any law made in occadence with the previous of article 204 to be expended for a particular service for the current financial year is found to be insufficient for the purpose of that year or when a neathas arisen etwing the current financial year for supplementary or additional expenditive upon some new service not contemplated in the annual financial statement for that year; or

(ts if any money has been opent on any service during a financial year in excess of the amount granted for that service and for that year,

cause to be laid before the Thouse or the Thouses of the Segurature of the State another statement showing the estimated amount of that exponditure or cause to be presented to the Segurature Sexonthy of the State a demand for such excess, as the case may be.

(2) The provision of articles 202, 203 and 204 shall have effect in retalion to any such statement and exponditure or elemand and also to any law to bre made authorising the apprepriation of mercys out of the Europeatabled Tund of the State to meet such expenditure or the annual in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a domand for a grant and the law to be made for the authorisation of appropriation of mencys out of the Europeatabled Tund of the State to meet such endowling or annual.

Volta on account; volta of credit and exceptional grants.

206.0) Notwithstanding anything in the foregoing previsions of this Chapter, the Segislative Assembly of a State shall have hower—

(a) to make any grant in advance in respect of the estimated
exponditive for a part of any fenancial year pending
the completion of the procedure prescribed in article
203 for the voling of such grant and the passing of
the law in accordance with the provisions of article
204 in relation to that expenditive;

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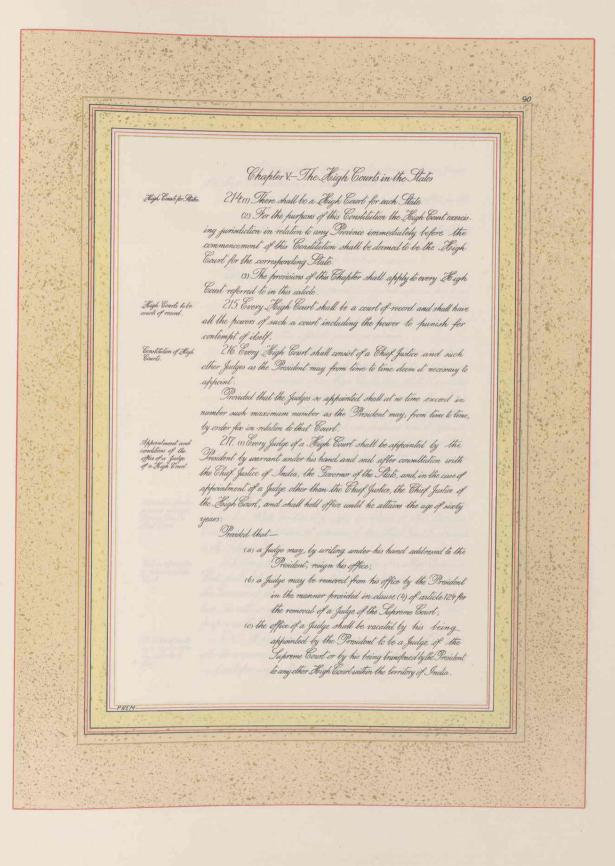
(b) to make a grant for meeting an unexpected domand upon the recurse of the State when on account of the magnitude or the indefinite character of the sorvice the domand cannot be stated with the details ordinarily given in an annual financial statement; (c) to make an exceptional grant which forms no part of the current service of any financial year; and the Legislature of the State shall have hower to authorize by law the withdrawal of moneys from the Consolidated Fund of the State for the purposes for which the said grants are made. (2) The provisions of articles 203 and 204 shall have effect in relation to the making of any grant under clause (1) and to any law to be made under that clause as they have effect in relation to the making of a grant with regard to any exponditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the State to meet such 201. (1) A Poill or amondment making provision for any of the matter specified in sub-clauses (a) to (f) of clause (1) of article 199 shall not be introduced or moved except on the recommendation of the Governor, and a Bill making such provision shall not be introduced in a Legisla-Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any law.
(2) I Bill or amendment shall not be deemed to make provision for any of the matters afcresaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the domand or payment of few for licences or few for services rendered, orly reason that it provides for the imposition, abolition, remission, alteration or regula tion of any tax by any local authority or body for local purposes. (3) A Bill which, if enacted and brought into operation, would involve expenditure from the Conscillated Fund of a State shall not be passed by a Showe of the Legislature of the State unless

the Governor has recommended to that House the consideration of Procedure Generally 208.00 A House of the Legislature of a State may make rule for regulating, subject to the provisions of this Constitution, it's procedure and the conduct of its business. (2) Until rules are made under clause (1), the rules of procedure and standing orders in force immediately before the commencement of this Emstitution with respect to the Legislative for the corresponding Movince shall have effect in relation to the Legislature of the State subject to such modifications and adaptations as may be made therein by the Speaker of the Segislative Assembly , or the Chairman of the Segisla live Council, as the case may be. (3) In a State having a Ligitative Council the Governor after consultation with the Speaker of the Legislative Assembly and the Chairman of the Segislativo Council, may make rules as to the procedure with respect to communications between the two Houses. 209. The Legislature of a State may, for the purpose of the timely completion of financial business, regulate by law the procedure of, and the conduct of business in the House or Houses of the Legislature of the State in relation to any financial matter or to any Bill for the appropriation of moneys out of the Consolidated Fund of the State, and, if and so for as any provision of any law so made is inconsistent with any rule made by the House or either House of the Legislature of the State under clause (1) of article 208 or with any rule or standing order having offect in relation to the Legislature of the State under clause (2) of that article, such provision shall provail. 210 (1) Notwithstanding anything in That XVII, but subject to the provisions of writele 348, business in the Legislature of a State shall be transacted in the official language or languages of the State or in Kindi or in English Provided that the Speaker of the Segislative Assembly or Chair man if the Legislative Council, or person acting as such, as the case

may be, may fermit any momber who cannot adequately express himself in any of the languages aforesaid to address the House in his mother lingue. (2) Union the Legislature of the State by law otherwise provides, this active chall, after the expiration of a period of leften years from the examencement of this Constitution, have effect as if the words "or in English were coulted therefrom Restriction on descu soon in the Legisla-turn 2.11. As discussion shall take place in the Legislature of a State with respect to the conduct of any Judge of the Supreme Court or of a High East in the discharge of his duties 212. (1) The reducity of any proceedings in the Societative of a State shall not be called in question on the ground of any alteged irregularity of procedure. (2) No officer or member of the Legislature of a State in whom powers are vested by or under this Constitution for regulating procedure or the conduct of business, or for maintaining order, in the Legislature shall be subject to the jurisdiction of any court in respect if the exercise by him of those powers. Chapterty-Segistative Power of the Governor 213.11) If at any time, except when the Logislative Assembly of a State is in session, or when there is a Legislative Council in a State, except when both Acuses of the Legislature are in session, the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances the circumstances appear to him to require Provided that the Gavernor shall not, without instructions from the Gresident, promulgate any such Ordinance if-(a) a Bill containing the same provisions would under this Constitution have required the previous sanction of the Provident for the introduction thereof into the Legislature; or () he would have deemed it necessary to reserve a Bill containing the same provisions for the consideration of the President; or

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(e) an Act of the Legislature of the State containing the same previsions would under this Constitution have been invalid unless, having been reserved for the consideration of the President, it had received the assent of the President. (2) An Ordinance premulgated under this article shall have the same force and effect as an Act of the Legislature of the State assented to by the Leverner, but every such Onlinance -(a) shall be laid before the Legislative Assembly of the State, or where thereis a Legislative Ecuncil in the State, before both the Houses, and shall cease to operate at the expiration of six weeks from the reasonably of the Segislature, or if before the expiration of that period a resolution disapproving it is passed by the Segislative Awenthy and agreed to by the Segistative Council, if any, upon the passing of the resolution or, as the case may be, on the resolution being agreed to by the Council; and (b) may be withdrawn at any time by the Governor. Explanation-Where the Secures of the Legislature of a State having a Sozialative Council are summoned to reassemble on different dates, the period of six weeks shall be reckoned from the later of these dates for the purposes of this clause. (3) If and so far as an Ordinance under this article makes any provision which would not be valid if enacted in an Act of the Legislature of the State arrented to by the Governor, it shall be void: Provided that, for the purpose of the provisions of this Emolitation relating to the effect of an Act of the Legislature of a State which is repugnant to an Act of Parliament or an existing law with respect to a matter enumerated in the Concurrent List, an Ordinance promulgated under this article in pursuance of instructions from the President shall be deemed to be an Act of the Legislature of the State which has been reserved for the consideration of the President and assented to by him.



(2) A person shall not be qualified for appointment as a Judge of a High Court unless he is a citizen of India and -(a) has for al least ten years hold a judicial office in the territory of India; or its has for at least ten years been an advocate of a Nigh Court in any State specified in the First Schedule or of two or more such Eourts in succession. Explanation - For the purposes of this clause (as in computing the period during which a person has been an advante of a High Court, there shall be included any period during which the person has hold judicial office after he became an advocate; to in computing the period during which a person has held judicial office in the territory of India or been an advocate of a Bugh Court, there shall be included any period before the commencement of this Constitution during which he has held judicial office in any area which was comprised before the fifteenth day of August, 1947, within India as defined by the Government of India Act, 1935, or has been an advocate of any High Ecurt in any such area, as the case may be. 218. The previsions of clauses (4) and (5) of article 124 shall apply in relation to a High Court as they apply in relation to the Supreme Court with the substitution of references to the High Court for references to the Supreme Court. 219. Every person appointed to be a Judge of a Fligh Court in a State shall, before he enten upon his office, make and subscribe before the Governor of the State, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Third Schedule 220. No person who has held office as a Judge of a High Ecurt after the commencement of this Constitution shall plead or act in any court or before any authority within the lository of India.

Court unless he consents se to do.

225. Subject to the provisions of this Constitution and to the provisions of any law of the appropriate Segislature made by virtue of powers confored on that Legislature by this Constitution, the jurisdiction of and the law administered in , any existing High Court , and the respective powers of the Judges thereof in relation to the administration of justice in the Court, including any power to make rules of Court and to regulate the sittings of the Court and of members thereof sitting alone or in Division Courts, shall be the same as immediately before the commencement of this Constitution:

Provided that any restriction to which the exercise of enginal jurisdiction by any of the High Courts with respect to any matter concerning the revenue or concerning any act ordered or done in the collection thereof was subject immediately before the commencement of this Constitution shall no longer apply to the exercise of such jurisdiction.

226 in Notwithstanding anything in article 32, every High Court shall have hower, throughout the territories in relation to which it exercises jurisdiction, to usue to any person or authority, including in apprepriate cases any Government, within those territories directions, orders or units, including with in the nature of habeas corpus, mandamus, prohibition, que warrante und certiorari, er any of them, for the enforcement of any of the rights conferred by Part III and for any other purpose.

(2) The power conferred on a High Court by clause(1) shall not be in derogation of the power conferred on the Supreme Court by clause (2) of article 32.

Power of superinten donce over all courts by the High Court

227 (1) Every High Coul shall have superintendence over all courts and bribunals throughout the territories in relation to which it exercises jurisdiction

(2) Without prejudice to the generality of the foregoing provision, the High Court may-

(a) call for returns from such courts;

(b) make and issue general rules and prescribe forms for regulating the practice and proceedings of such

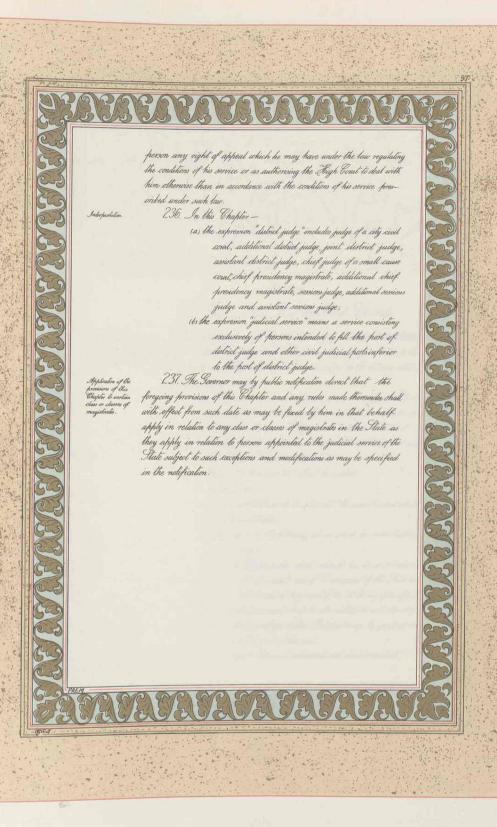
(c) prescribe forms in which books, entries and accounts shall be

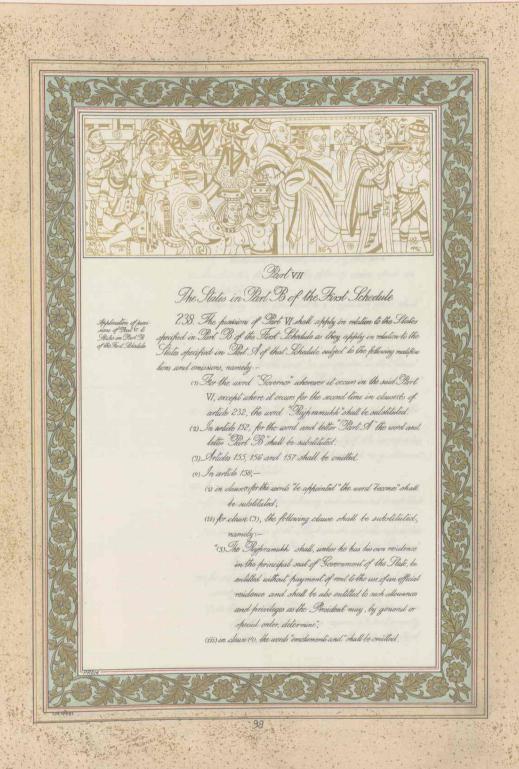
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hept by the officers of any such courts. (3) The Frigh Court may also settle lables of fees to be allowed to the Sheriff and all clerks and officer of such courts and to attorneys, advocates and pleaders practising therein: Provided that any rules made, forms prescribed or lattes settled under clause (2) or clause (3) shall not be inconsistent with the provision of any law for the time being in force, and shall require the previous approval of the Governor (1) Nothing in this article shall be deemed to confer on a High Court powers of superintendence over any court or Tribunal constituted by or under any law relating to the Armed Forces. 228. If the Feigh Court is satisfied that a case ponding in a Transfer of certain cases to High Court court subordinate to it involves a substantial question of law us to the interpretation of this Constitution the determination of which is necessary for the disposal of the case, it shall withdraw the case and may-(a) either dispose of the case itself, or (b) determine the said question of law and return the case to the court from which the case has been so withdrawn together with a copy of its judgment on such question, and the said court shall on receipt thereof proceed to dispose of the case in conformity with such judg-229. (5) Appointments of officers and servants of a Figh East shall be made by the Chief Justice of the Court or such other Judge or officer of the Court as he may direct: Provided that the Governor of the State in which the High Court has its principal real may by rule require that in such cases as may be specified in the rule no person not already attached to the Court shall be appointed to any office connected with the Court save after consultation with the State Public Service Commission (2) Subject to the provisions of any law made by the Legislature of the State, the conditions of service of officers and servants of a Frigh Court shall be such as may be prescribed by rules made by the Chief Justice of the Court or by some other Judge or officer of the Court authorised

by the Chief Justice to make rules for the purpose: Provided that the rules made under this clause shall, so far as they relate to salaries, allowances, leave or pensions, require the approval of the Governor of the State in which the High Court has its principal seat. (3) The administrative expenses of a High Court, including all salaries, allowances and pensions payable to or in respect of the efficers and servants of the Court, shall be changed upon the Consolidated Fund of the State, and any fees or other moneys taken by the Court shall form part of that Fund. 230. Partiament may by law -(a) extend the jurisdiction of a High Court to, or (b) exclude the jurisdiction of a High Court from, any State specified in the First Schedule other than, or any area not within, the State in which the High Court has its principal seat. 231. Where a Ligh Court exercise jurisdiction in relation to any area Restrictions on the powers of the Sizzel laws of States to make laws with outside the State in which it has its principal seat, nothing in this benefitition shall be construed -(a) as empowering the Legislature of the State in which the Eout has its principal seat to increase, restrict or abolish that jurisdiction; (to as empowering the Segislature of a State specified in Part A or Part B of the First Schedule in which any such area is situate, to abolish that jurisdiction; or (c) as preventing the Legislature having power to make laws in that behalf for any such area, from passing, subject to the provisions of clause (b), such laws with respect to the jurisdiction of the Court in relation to that area as it would be competent to passif the principal seat of the Court were in that area. 232. Where a High Court exercises jurisdiction in relation to more than one State specified in the Trint Schedule or in relation to a State and an area not forming part of the State -(as references in this Chapter to the Governor in relation to the Judges of a High Court shall be construed as

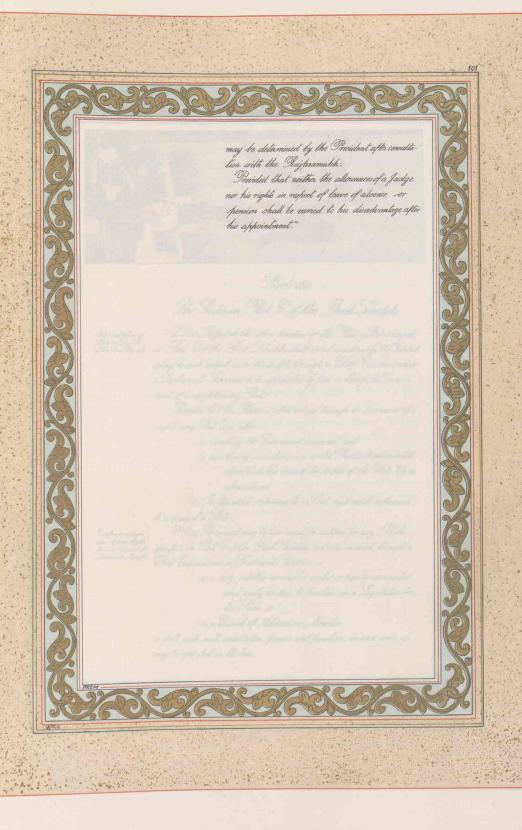
references to the Severnor of the State in which the Eourt has its principal seat; (b) the reference to the approval by the Governor of rules, forms and tables for subordinate courts shall be construed as a reference to the approval thereof by the Governor or the Rajpramukh of the State in which the subordinate court is situate, or if it is situate in an area not forming part of any State specified in Bost A.cr Sart B of the Sixt Schedule, by the Societant; (c) references to the Consolidated Fund of the State shall he construed as references to the Consolidated Fund of the State in which the Court has its principal Chapter VI - Subordinate Courts 233.0) Appointments of persons to be, and the posting and pronotion of, district judges in any State shall be made by the Governor of the State in consultation with the Sough Court exercising jurisdiction in relation to such State. (2) A porson not already in the service of the Union or of the State shall only be eligible to be appointed a district judge if he has been for not less than seven years an advocate or a pleader and is recommended by the High Court for appointment. 234. Appointments of persons other than district judges to the judicial Bocautment of process L54. Approvidencels of persons other than district judges to the judicial obsertion district suggests the sudual service of a State shall be made by the Serverner of the State in accontance with rules made by him in that behalf after consultation with the State Public Service Commission and with the High Court exercising jurisdic tion in relation to such State 235. The control over district counts and courts subordinate thereto including the posting and promotion of, and the grant of leave to, porono belonging to the judicial service of a State and holding any pot inferior to the post of district judge shall be vested in the Shigh Court, Sout nothing in this article shall be construed as taking away from any such

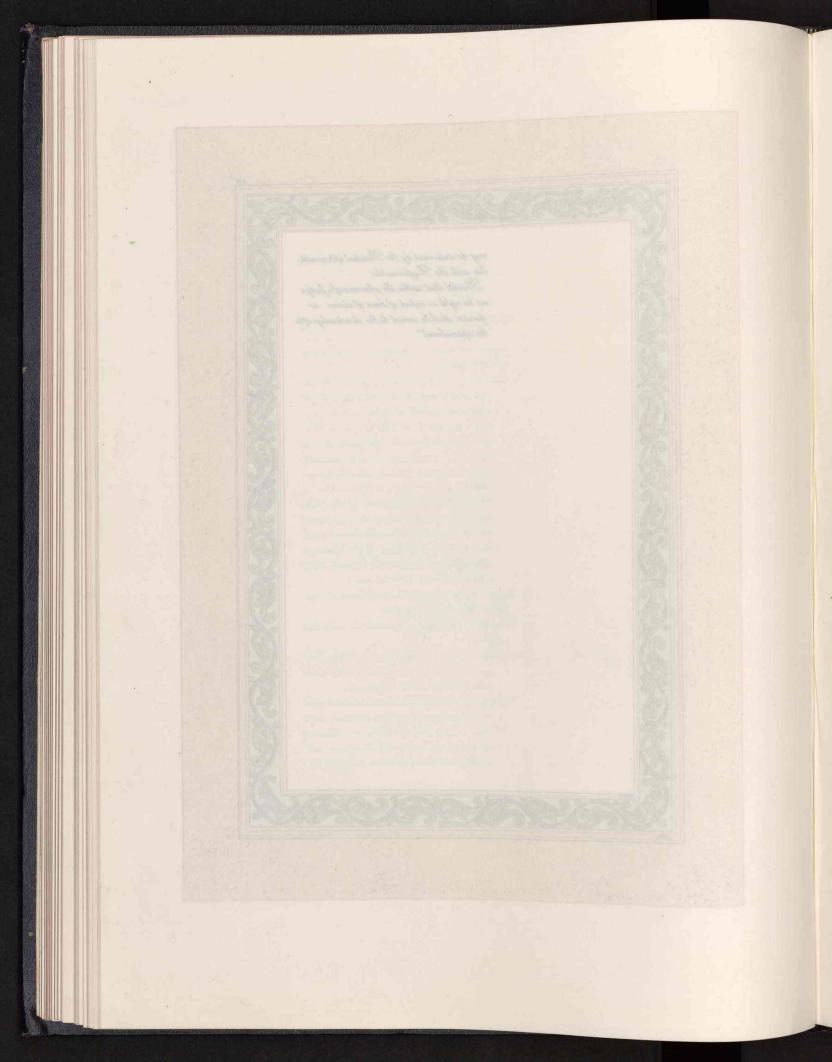


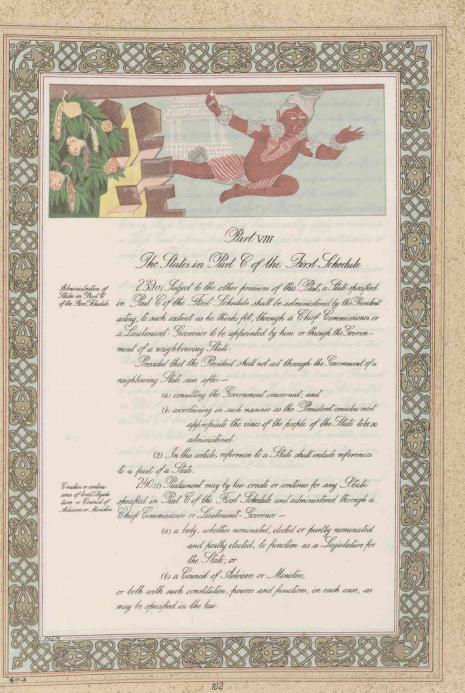


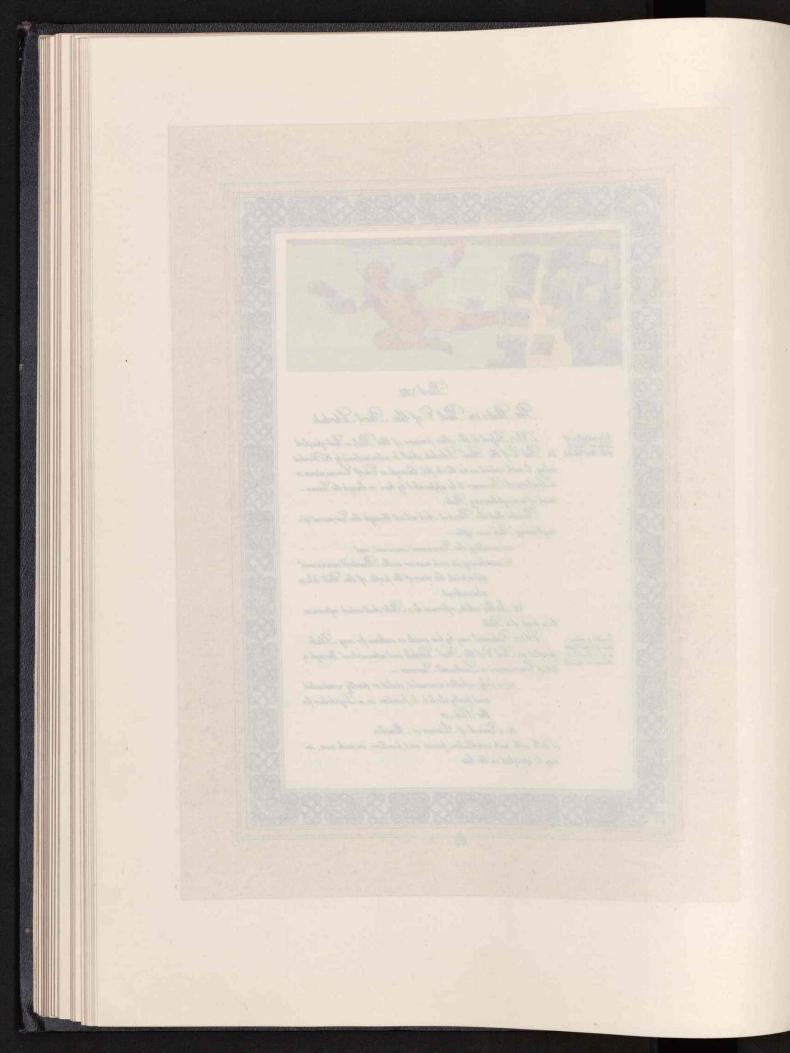
(5) In article 159, after the words "seniormort Judge of that Court available" the words "or in such other manner as may be fusscribed in that behalf by the President "shall be inserted. (6) In article 164, for the provise to clause (1) the following provise shall be substituted, namely:-"Trovided that in the State of Madhya Bhavat there shall be a Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Schoduled Castes and backward classes or any other work." (1) In which 168, for clause (1) the following clause shall be substituted, namely:-"(1) For every State there shall be a Legislature which shall consist of the Rajpramukh and-(as in the State of Mysore, two Locuses; (1) in other States, one House! (8) In article 186, for the words "as we specified in the Second Schedule" the words "as the Rajpramukh may determine" shall be substituted. (3) In article 195, for the words "as were immediately before the nent of this Emstitution applicable in the case of mombon of the Sociolative Assembly of the corresponding of monum of wix In the Plajfirumukh may dotormine" shall be substituted. (10) In clause (3) of article 202 in for sub-clause (as, the following sub-clause shall be substitut "(a) the allowances of the Pajpramuch and other expendituse relating to his office as determined by the President by general or special order;" (ii) for sub-clause (f) the following sub-clauses shall be substituted, "(t) in the case of the State of Travancore-Ecchin, a sum of fifty-one lakeh of rupees required to be paid annually to the Devasuum fund under the covenant entered

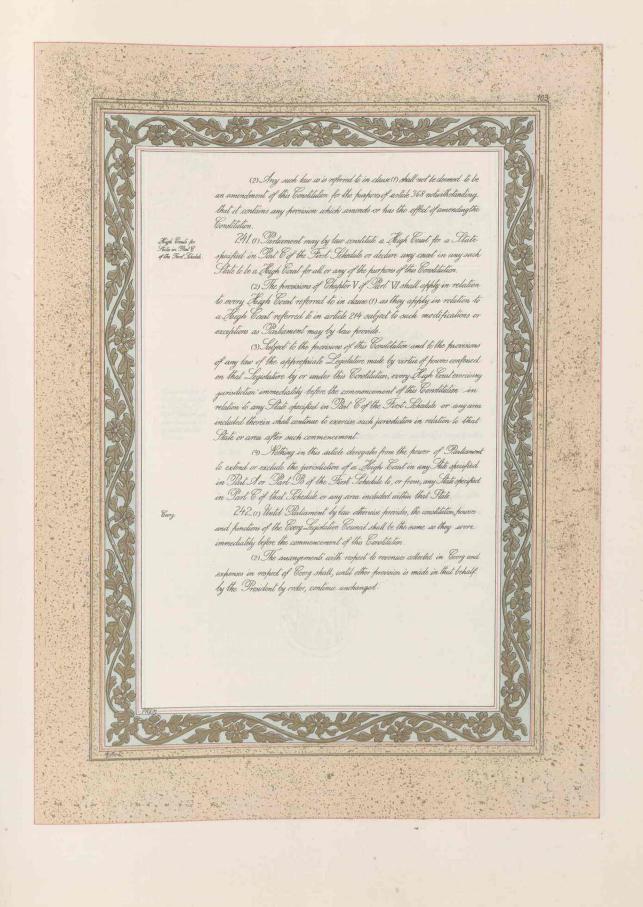
into before the commencement of this Constitution by the Rules of the Indian States of Travancore and Eochin for the formalion of the United State of Travancore and Ecchin; (g) any other expenditure declared by this Conditution, or by the Segistature of the State by law, to be so changed." (11) In article 208, for clause (2), the following clause shall be substituted, namely:-"(2) Until rules are made under clause (1), the rules of procedure and standing orders in force immediately before the commoncement of this Constitution with respect to the Legislature for the State or; where no Stowse of the Legislature for the State existed, the rules ture and standing orders in face immediately before such commencement with respect to the Legislative Assembly of such Province as may be specified in that behalf by the Plajpramukh of the State, shall have effect in relation to the Legislatur of the State subject to such modification and adapta-tions as may be made therein by the Speaker of the Segislative Assembly or the Chairman of the Legislative Council, as the case may be". (12) In clause (2) of article 214, for the word "Therince the words "Indian State" shall be substituted . (13) For article 221, the following which shall be substituted, 22(s) There shall be paid to the Judger of each High Count such salaries as may be determined by the President after consultation with the Rajpramukh. (2) Every Judge shall be entitled to such allowances and to such rights in respect of leave of absence and pension as may from time to time be determined by or under law made by Parliament and, until so determined, to such allowances and rights as

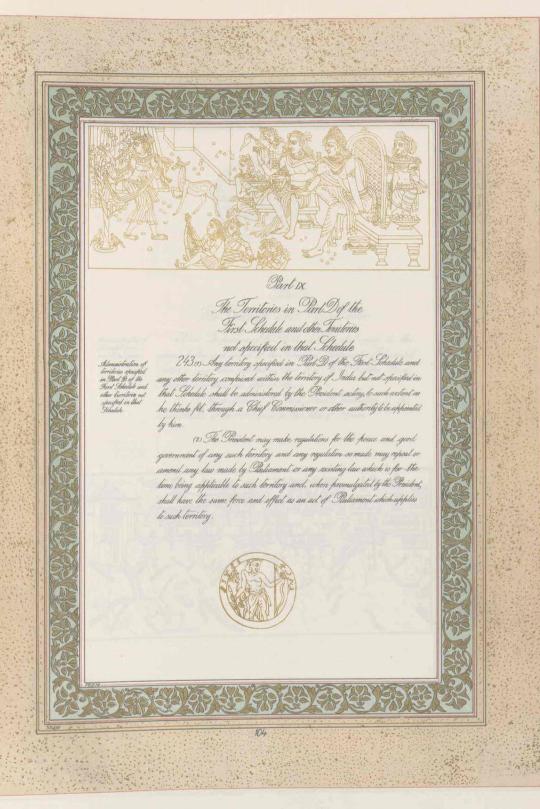


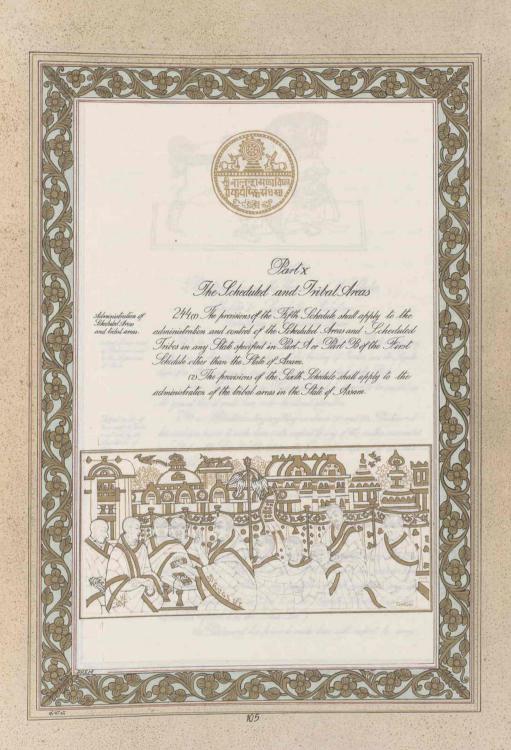


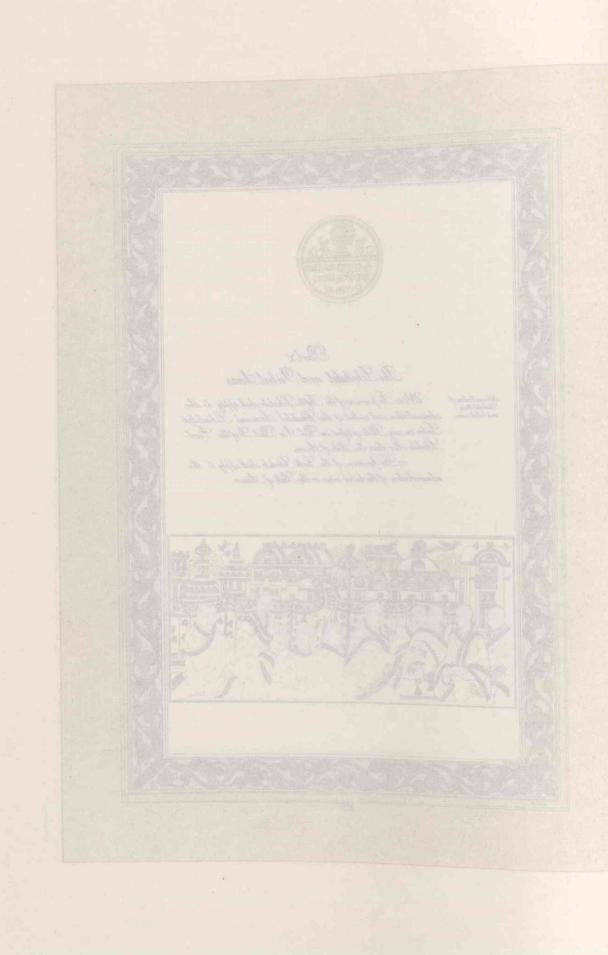


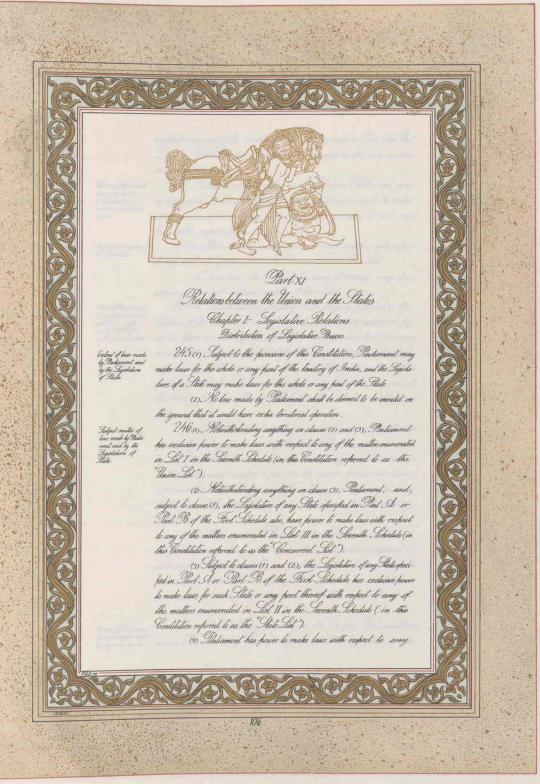


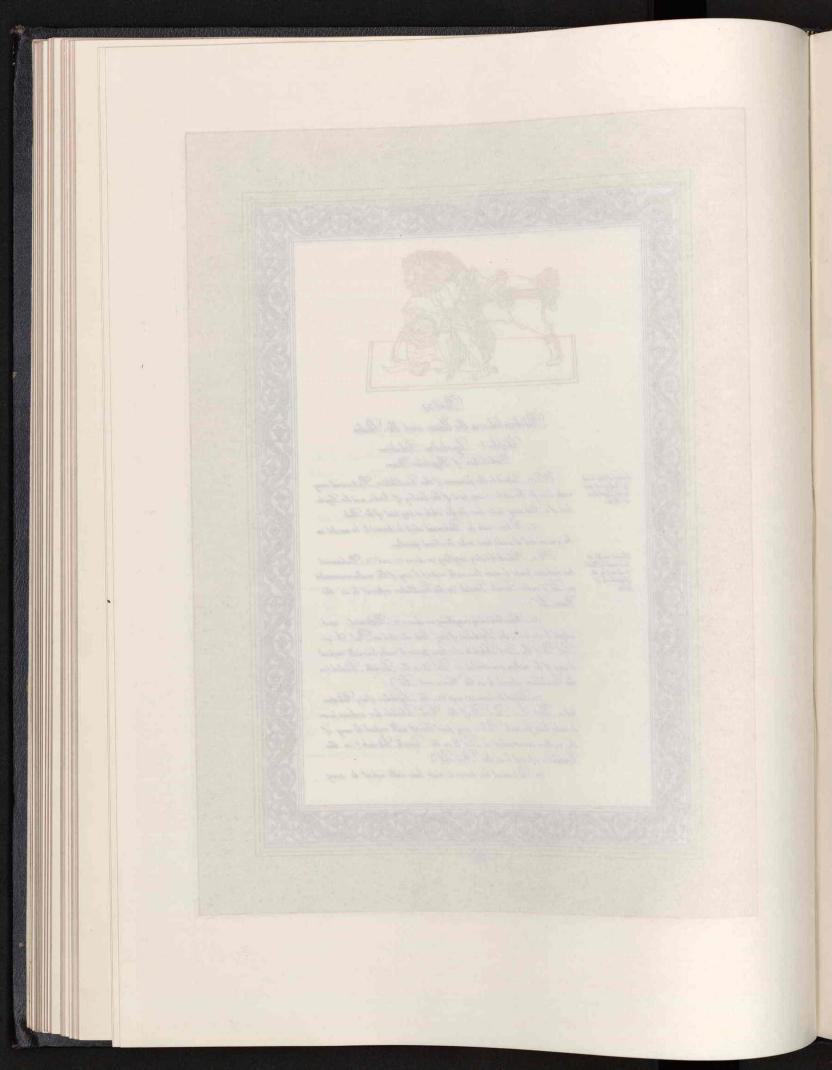










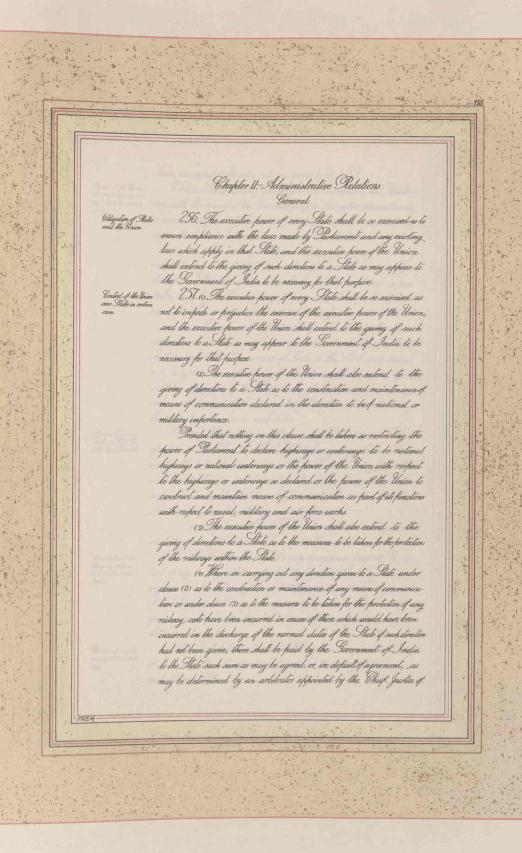


malter for any part of the territory of India not included in Part Aor Part B of the Tirrt Schedule notwithstanding that such matter is a matter onumerated in the State List. 247. Netwithstanding anything in this Chapter, Parliament may by law provide for the establishment of any additional courts for the better administration of law made by Partiament or of any existing law with respect to a matter insenerated in the Union Sist. 248.0 Parliament has exclusive power to make any law with respect to any matter not enumerated in the Concurrent Sixt or State Sixt. (2) Such power shall include the power of making any law imporing a tax not mentioned in either of these Lists 249. (1) Notwithstanding anything in the foregoing provisions of this Chapter, if the Council of States has doctared by resolution supported by poet to a matter on the Plate Bot not less than two-thirds of the members present and voting that it is necessary or expedient in the national interest that Parliament should make low with respect to any matter enumerated in the State Set specified in the resolution, it shall be lawful for Parliament to make law for the whole or any part of the territory of India with respect to that matter white the resolution remains (2) A resolution passed under clause (1) shall remain in force for ouch period not exceeding one year as may be specified therein: Provided that, if and so eften as a resolution approxing the continuance in force of any such resolution is passed in the manner provided in clause (1), such resolution shall continue in force for a further period of one year from the date on which under this clause it would otherwise have exaced to be (3) A law made by Parliament which Parliament would not but for the passing of a resolution under clause (1) have been compotent to make shall, to the extent of the incompotency, cease to have effect on the expiration of a period of six months after the resolution has ceased to be in force, except as respects things done or smitted to be done before the expiration of the said period. 250(1) Notivithetanding anything in this Chapter, Parliament chall, while a Proclamation of Emergency is in operation, have hower to make

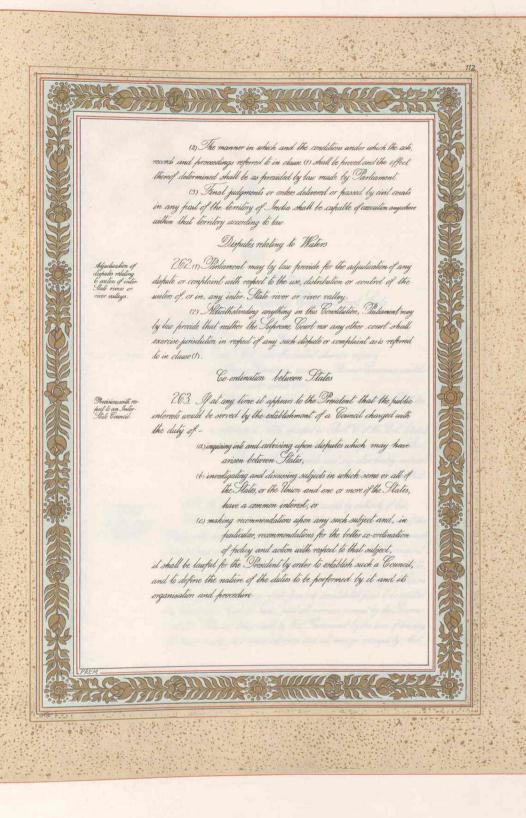
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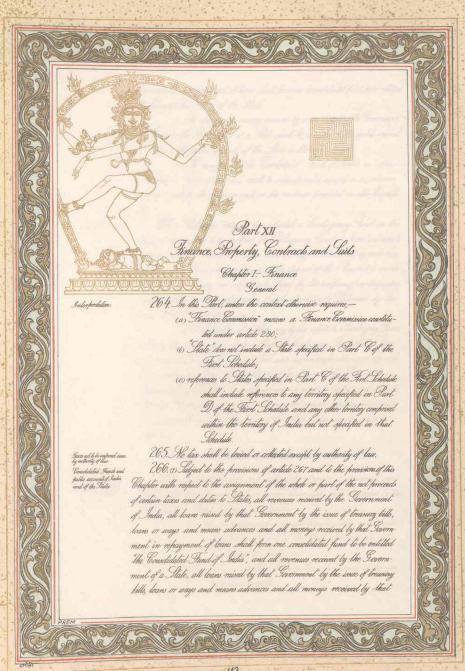
State Story a Bushow have for the whole or any part of the territory of India with respect to any of the matters enumerated in the State List. (2) Alaw made by Parliament which Parliament would not but for the issue of a Proclamation of Emergency have been competent to make shall, to the extent of the incompetency, wase to have effect on the expiration of a period of six months after the Proclamation has seased to operate, except as respects things done or smitted to be done before the expination of the said period. 251. Nothing in articles 249 and 250 shall restrict the power of the Segislature of a State to make any law which under this Ecnolitation it has power to make, but if any provision of a law made by the Segislature of a State is repregnant to any provision of a law made by Parliament which Parliament has under either of the said articles power to make, the law made by Parliament, whether passed before or after the law made by the Segislature of the State, shall prevail, and the law made by the Segisla time of the State shall to the extent of the repugnancy, but so long. only as the law made by Parliament continues to have effect, be inspeative. 252.(1) If it appears to the Legislatures of two or more States to Town of Tastamout to bysiste for live or some Hala by conson and soluption of such legislation by any other State. be desirable that any of the matters with respect to which Parliament has no power to make law for the States except as provided in articles 249 and 250 should be regulated in such States by Carliament by law, and if resolutions to that effect are passed by all the Flower of the Legislatines of the States, it shall be lowful for Partiament to pure an Alfor regulat ing that matter accordingly, and any Act so passed shall apply to such States and to any other State by which it is adopted afterwards by resolution passed in that behalf by the House or, where there are two Houses, by each of the Houses of the Segislature of that State (2) Any Act so paved by Parliament may be amended or repeated by an Act of Parliament passed or adopted in like manner but shall not. as respects any State to which it applies, be amended or repealed by an Act of the Segiolature of that State. 253. Notwithstanding anything in the foregoing provisions of this Chapter, Parliament has power to make any law for the whole or any part of the territory of India for implementing any treaty, agreement or convention

with any other country or countries or any decision made at any international conference, association or other body. 254. (1) If any provision of a law made by the Ligariature of a State is repugnant to any prevision of a law made by Indiament which Parliament is competent to enact, or to any prevision of an existing law with respect to one of the matters enumerated in the Concurrent List, thou, subject to the provisions of clause (2), the law made by Partiament, whether passed before or after the law made by the Segislature of such State, or, as the case may be, the existing law, shall prevail and the law made by the Logisla Ture of the State shall to the extent of the repugnancy , be wind (2) Where a law made by the Legislature of a State specified in Part A.or Part Bof the First Schedule with respect to one of the malter enumerated in the Concurrent List contains any provision repugnant to the prairies of an earlier law made by Partiament or an existing law with respect to that matter, them the law so made by the Segiolature of such State shall, if it has been received for the consideration of the President and has received his assent, prevail in that State Provided that nothing in this clause shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Segula-ture of the State. 255. No Act of Parliament or of the Legislature of a State specified in Part A or Part B of the First Schedule, and no provision in any such Act, shall be invalid by reason only that some recommendation or previous sanction required by this Constitution was not given, if arent to that Act was given (a) where the recommendation required was that of the Governor, either by the Governor or by the (b) where the recommendation required was that of the Rajpramukh, either by the Rajpramukh or by the (c) where the recommendation or provious sanction required was that of the President, by the President.



India, in respect of the extra costs so incurred by the State. 258.6) Setuithstanding conything in this Ecretitulian, the President may, with the consent of the Severnment of a State entire either auditionally or unconditionally to that Government or to its efficers functions in relation to any malter to which the executive power of the Union extends. (2) A law made by Parliament which applies in any State may, notwithstanding that it relates to a matter with respect to which the Sogistature of the State has no power to make laws, confer power and impose duties, or authorise the conferring of powers and the importion of duties, upon the State or officers and authorities thereof. (3) Where by wrhite of this article powers and duties have been conferred or imposed upon a State or officers or authorities thereof, there shall be paid by the Government of India to the State such sum as may be agreed, or, in default of agreement, as may be determined by an antitrator appointed by the Chief Justice of India, in respect of any extra costs of administration incurred by the State in connection with the exercise of those powers and duties. 259.05 Netwitholanding anything in this Constitution, a State specified in Part B of the First Schedule having any Armed Terces immediately before the commoncement of this Constitution may, until Partia ment by law otherwise provides, continue to maintain the said Forces after such commencement subject to such general or special orders as the President may from time to time issue in that behalf. (2) Iny such Armed Terces as are referred to in clause (1) shall form part of the Armed Terces of the Union. 260. The Severnment of India may by agreement with the Severn ment of any territory not being part of the territory of India undertake any executive, legislative or judicial functions vested in the Government of such territory, but every such agreement shall be subject to, and governed by, any law relating to the exercise of foreign jurisdiction for the time being in force. 261.09 Tull faith and credit shall be given throughout the territory of India to public acts, records and judicial proceedings of the Union and of every State.





Sovernment in repayment of leans shall form one consolidated find belie enlitted The Considerated Stand of the State".

(2) All other public moneys recived by or on behalf of the Government of India or the Government of a State shadt be credited to the public account of Shada or the public account of the Glate, as the case may be

(3) No moneyo cut of the Convolidated Tund of India or the Convolidated Tund of a State whath be appropriated except in accordance with law and for the purpose and in the manner provided in this Convitation.

Centingency Fund.

267.(1) Prolument may by daw exhablish a Combingency Sund in the nature of an improvt to be exhibited the Combingency Sund of India vide which shall be paid from hime to time such surns as may be determined by such law, and the said. Sund shall be placed at the disposal of the President to enable advances to be made by him out of such Sund for the purpose of meeting unfore soon expenditive pending authorisation of such expenditive by Padamout by law under article 115 or paticle 116.

(2) The Legislature of a State may by law establish a Centingency Fund in the native of an improve to be entitled the Contingency Fund of the State" into which chall be haid from time to time such sum a may be determined by such haw, and the said Sund shall be placed at the disposal of the Governor or Dayperomarkh of the State to enable advances to be made by him out of such Sund for the purpose of meeting unforceson expenditive gending authorisation of such exponditure by the Legislature of the State by law under article 205 or article 206.

Distribution of Revenues between the Union and the States

Dulin levied by the Union but collected and appropriated by the Llater 268.00 Such slamp cluties and such duties of excise on medicinal and hidot preparations as one montioned in the Union List shall be levied by the Government of India but shall be collected—

ra; in the case where ouch dulies are beviable within any State
specified in Scal E if the Girel Schedule, by the
Severnment if India, and

vir in alber cases, by the States within which such duties are respectively leviable. Make the property of the property of the party of the par

es The proceeds in any financial year of any ouch duty beviable within any State chall not form part of the Consdictated Sund of India, but shall be assigned to that State. 269.00 The following duties and taxes shall be beried and collected by the Government of India but shall be assigned to the States in the manner provided in clause (2), namely:cas dulies in respect of succession to property other than agricultural land; (b) estate duty in respect of property other than agricultural (c) terminal taxes on goods or passengers carried by railway, sea or ain; (d) taxes on railway fares and freights; (e) laxes other than stamp duties on transactions in stack-exchanges and futures markets; (f) laxes on the sale or purchase of newpaper and on advertisements published therein (2) The not proceeds in any financial year of any such duly or hax, except in so far as these proceeds represent proceeds attributable to States specified in Part E of the Tixt Schedule, shall not form part of the Conscidated Tund of India, but shall be assigned to the Glater within which that duty or lax is beviable in that year, and shall be distributed among those States in accordance with such principles of distribution as may be formulated by Parliament by law. 270.0) Tures on income other than agricultural income shall be levied Taxa berat and collected by the Union and distributed betixen the Union and the Hates and collected by the Government of India and distributed between the Union and the States in the manner provided in clause (2). (2) Such percentage, as may be prescribed, if the net proceeds in any financial year of any such law, except in so far a their proceed represent proceeds attributable to States specified in Part E of the First Schedule or to taxe payable in respect of Union emcluments, shall not form part of the Conscilated Fund of India, but shall be assigned to the States within which that tax is beriable in that year, and shall be distributed among those States in such manner and from such time as may be prescribed.

to the art from on may have it you thank with it and principly thought fraction the although so

(3) For the purposes of clause (2), in each financial year such percentage as may be prescribed of so much of the net proceeds of taxes on income as does not represent the not proceeds of taxes payable in respect of Union emoluments shaft be deemed to represent proceeds attributable to States specified in Part Est the First Schedule. (4) In this article -(a) "laxes on income" does not include a corporation lax; (6) "prescribed" means -(i) until a Itnance Commission has been constituted prescribed by the President by order, and (ii) after a Tinance Commission has been constituted prescribed by the President by order after considering the recommendations of the Finance Commission; (c) Union emoluments "includes all emoluments and persions pay able out of the Consolidated Tund of India in respect of which income-lax is chargeable. 2.11. Notwithstanding ampthing in whiches 269 and 210 Parliament may Surchauge on cortains ciuties and tisces for purposes of the Union. at any time increase any of the eluties or laxes referred to in these which by a surcharge for purposes of the Union and the whole proceeds of any such surcharge shall form part of the Consolidated Fund of India. 272. Union duties of excise other than such duties of excise on medicinal terial and extented by the Union and may be distributed between the Union and the States. and toilet preparations as are mentioned in the Union Sist shall be levied and collected by the Government of India, but, if Parliament by law so provides, there shall be paid out of the Consdidated Fund of India to the States to which the law imporing the duty extends owns equivalent to the whole or any part of the net proceeds of that duty, and those sums shall be distributed among there States in accordance with such principles of distribution as may be formulated by such law. 273.10 Then shall be charged on the Convolidated Fund of India in each year as grants-in-aid of the revenue of the States of Assam, Bihar, Orina and West Bengal, in lieu of assignment of any share of the net proceeds in each year of export duty on jule and jule products to there States, such sums as may be prescribed (2) The sums so prescribed shall continue to be changed on the

Convolidated Thind of India so long as any export duty on jute or jute products continues to be levied by the Government of India or until the expiration of ten years from the commencement of this Constitution, whichover is earlier. (3) In this article, the expression "prescribed" has the same meaning as in article 270. 274. No Bill or amendment which imposes or viaries any tax or duty in which States are interested, or which varies the meaning of the expression "agaicultural income" as defined for the purpose of the enactments relating to Inclina income-lax, or which affects the principles on which under any of the foregoing provisions of this Chapter moneys are or may be distributable to States, or which impose any such surcharge for the purpose of the Union as is mentioned in the foregoing provisions of this Chapter, shall be introduced or moved in either House ment except on the recommendation of the President (2) In this article, the expression "tax or duty in which States - are interested means-(a) a tax or duty the whole or part of the net proceeds whereof are assigned to any State; or (b) a tax or duty by reference to the not proceeds whereof sime are for the time being payable out of the Consdictated Fund of India to any State. 275.00 Such sims as Parliament may by law provide shall be charged on the Convolidated Tund of India in each year as grants-in-aid of the rovenues of such States as Parliament may determine to be in need of assistance, and different sums may be fixed for different States: Invided that there shall be paid out of the Condidated Thind of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the easts of such schemes of devolopment as may be undertaken by the State with the approval of the Sevenment of India for the purpose of promoting the welfare of the Scheduled Tribes in that State or raising the bevel of administration of the Scheduled Areas therein to that of the administration of the rest of the areas of that State: Provided further that there shall be paid out of the Consolidated Fund of India as grants in-aid of the rownues of the State of Issam sums, capital and recuring, equivalent to-

(a) the average exces of expanditive ever the revenues during the live years immediately praceding the commencement of this Constitution in respect of the administration of the british areas specified in Part A of the table appended to paragraph 20 of the Sixth Schedule; and do the costsof such scheme of development as may be undertaken by that State with the approval of the Government of India for the purpose of raising the level of administration of the said areas to that of the administration of the rest of the area of that State. (2) Until provision is made by Parliament under clause (1), the powers conferred on Padiament under that clause shall be exercisable by the President by order and any order made by the Provident under this claws shall have effect subject to any provision so made by Partiament: Provided that after a Tinance Commission has been constituted no order shall be made under this clause by the President except after considering the recommendations of the Finance Commission. 2.76.0) Schrithstanding anything in article 246, no law of the Legislature of a State relating to laxer for the benefit of the State or of a numicipality, district board, local board or other local authority therein in respect of profession, brades, callings or employments shall be invalid on the ground that it relates to a lax (2) The lotal amount payable in respect of any one person to the State or to any one municipality, district board, local board or other local authority in the State by way of taxes on professions, brades, callings and employments shall not exceed two hundred and fifty rupees per annum: Provided that if in the financial year immediately proceeding the commence ment of this Constitution there was in force in the case of any State or any such municipality, board or authority a lax on professions, trades, callings or employments the rate, or the maximum rate, of which exceeded two hundred and fifty rupers per annum, such lax may continue to be levied until provision to the contrary is made by Parliament by law, and any law so made by Parliament may be made either generally or in relation to any specified States, municipalities, boards or authorities.

(3) The power of the Segislative of a State to make law as aforesoid with respect to taxes on professions, trades, xallings and employments shall not be construed as limiting in any way the power of Startament to make some with respect to taxes on income accruing from or arising out of furglinion, trades, 277. Any laxes, dulies, corse or few which, immediately before the ml of this Econolitution, were being lawfully levised by the Government of any State or by any municipality or other local authority or body for the purpose of the State, municipality, district or other local area may, notwithstanding that those taxes, duties, cases or few are montioned in the Union List, continue to be levied and to be applied to the same purpose until provision to the contrary is made by Garliament by law. 278.0 Nativitholanding anything in this Constitution, the Government of India may, subject to the provisions of clause (2), enter into an agreement with the Government of a State opecified in Part B of the First Schedule with respect to -(a) the bery and collection of any tax or duty beniable by the Government of India in such State and for the distribution of the proceeds thereof otherwise than in accordance with the provisions of this Chapter; (to the grant of any financial assistance by the Government of Inclin to such State in consequence of the lov of any revenue which that State used to derive from any tax or duly leviable under this Constitution by the Severnment of India or from any other sources; (c) the contribution by such State in respect of any payment made by the Government of India under clause (1) of article 291, and when an agreement is so entered into, the provisions of this Chapter shall in relation to such State have effect subject to the terms of such agreement. (2) In agreement entered into under clause (1) shall continue in force for a period not exceeding ten years from the commencement of this Consti-Provided that the President may at any time after the expiration of five years from such commencement terminate or modify any such agreement

if after consideration of the report of the Finance Commission he thinks it necessary to do so. 279 m In the foregoing previous of this Chapter, net proceeds means in relation to any line or duty the proceeds thereof reduced by the cost of xollection, and for the purpose of these provisions the net proceeds of any tax or duty, or of any part of any lax or duty, in or attributable to any area shall be ascertained and certified by the Complrotter and Auditor General of Insia, whose certificate shall be final (2) Subject as aforesaid, and to any other express provision of this Chapter, a law made by Parliament or an order of the President may, in any case where under this Part the proceeds of any duty or tax are, or may be, assigned to any State, provide for the manner in which the proceeds are to be calculated, for the time from or at which and the marmer in which any payments are to be made, for the making of adjustments between one financial year and another, and for any other incidental or ancillary matters. 280.00 The President shall, within two years from the commonoment of Kinance Commission this Constitution and thereafter at the expination of every fifth year or at such earlier time as the President consider necessary, by order constitute a Finance Commission which shall consist of a Chairman and four other member to be appoint ed by the President: (2) Parliament may by law determine the qualifications which chall No requisite for appointment as members of the Commission and the manner in which they shall be selected. (3) It shall be the duty of the Commission to make recommondations to the Provident so to -(a) the distribution between the Union and the States of the net proceeds of taxes which are to be, or may be, divided between them under this Chapter and the abocation between the States of the respective shares of such proceeds; (to the principles which should govern the grants-in-aid of the revenues of the States out of the Consolidated Fund (c) the continuance or modification of the terms of any agreement entered into by the Government of Inclia with the Government

of any State operified in Part B of the Thret Shedule under dawe (1) of article 218 or under article 306; and (d) any other matter referred to the Commission by the President in the intensit of sound finance. vs. The Commission shall determine their forcedure and shall have such powers in the performance of their function as Parliament may by law confer on them. 281. The President shall cause overy recommendation made by the Anance Commission under the previous of this Constitution legither with an explanatory memorandum as to the action taken thereon to be laid before each Thouse of Partia Miscellaneous Financial Provisions 282. The Union or a State may make any grants for any public purpose, Expenditure dofrny able by the Union or a Llate out of its notwithstanding that the purpose is not one with respect to which Parliament or the Segiolature of the State, as the case may be, may make law. 283.(s) The cautody of the Econolidated Fund of India and the Contin-Ewledy, etc., ef Constituted Funds, Contingency Funds and menop crutical to the public accumb gency Sund of India, the payment of monoys into such Twads, the withdrawal of meneys therefrom, the custody of public moneys other than these credited to ruch Tundo received by or on behalf of the Government of India, thin payment into the public account of India and the withdrawal of moneys from such account and all other matters connected with or ancillary to matter aforsaid shall be regulated by baw made by Parliament, and, until prevision in that behalf is so made, shall be regulated by rule made by the Pherident. (a) The croterly of the Constituted Tund of a State and the Contingony Fund of a State, the payment of moneys into such Funds, the withdrawal of moneys therefrom, the custody of public moneys other than there credited to such Tunds received by even behalf of the Government of the State, their payment into the public account of the State and the withdrawal of moneys from such account and all other matters connected with or ancillary to matters aforesaid shall be regulated by law made by the Legislature of the State, and until provision in that behalf is so made, shall be regulated by rules made by the Governor or Rajpramukh of the State. 284. All moneys received by or departed with -

(as any officer employed in connection with the affairs of the Union or of a State in his capacity as such, other than revenues or public moneys raised or received by the Government of India or the Government of the State, as the case may be, or (b) any court within the territory of India to the credit of any cause, matter, account or persons, shall be paid into the public account of India or the public account of the State, 285.0). The property of the Union shall, save in so far as Indiament may by law otherwise provide, be exempt from all taxes imposed by a State or by any authority within a State. (2) Nothing in clawe(1) shall, until Parliament by how otherwise provides, prevent any authority within a State from leaging any tax on any property of the Union to which such property was immediately before the commencement of this Constitution liable or treated as liable, so long as that lax continues to be levied in that State 2.86.05 No law of a State shall impose, or authorise the imposition of, a emportion of lax on the sale or punchase of goods tax on the sale or hunchave of goods where such sale or purchase takes place-(a) outside the State; or to in the course of the import of the goods into, or export of the goods out of the territory of India. Explanation. - For the purpose of sub-clause (a) a sale or purchase shall be deemed to have taken place in the State in which the goods have actually been delivered as a direct result of such sale or punchase for the purpose of consumption in that State, notwithstanding the fact that under the general law relating to sale of goods the property in the goods has by reason of such sale or purchase passed in another State. (2) Except in so far as Parliament may by law otherwise provide, no law of a State shall impose, or authorise the imparties of, a tax or the sale or function of any goods where such sale or purchase takes place in the course of inter-State trade or commerce Invided that the President may by order direct that any lax on the sale or purchase of goods which was being lawfully levied by the Government of any State immediately before the commencement of this Constitution shall,

notwithstanding that the imposition of such lax is contrary to the previsions of this chause, amlinue to be levied until the thirty first day of March, 1951. (3) No law made by the Tegislative of a State imposing, or authorising the imposition of, a lax on the sale or function of any such goods as have been declared by Partiament by law to be exential for the life of the community shall have effect unles it has been reserved for the consideration of the President and has received his assent. 287. Save in se fax as Parliament may by law Aberuse previde no law of a State shall impose, or authorise the imposition of, a law on the consumption or sale of electricity (whether produced by a Government or other povern) (a) consumed by the Government of India, or sold to the Government of India for consumption by that Government; or (b) consumed in the construction, maintenance or operation of any railway by the Government of India or a railway company operating that railway, or sold to that Garanment or any such railway company for consumption in the construction, maintenance or operation of any railway, and any such law imposing, or authorising the imposition of, a tax on the sale of electricity shall secure that the price of electricity sold to the Government of India for consumption by that Government, or to any such railway company as aforesaid for consumption in the construction, maintenance or operation of any railway, shall be less by the amount of the lax than the price charged to other consumers of a substantial quantity of electricity. 288.0) Save in so far as the President may by order otherwise previde, no law of a State in face immediately before the commoncement of this Constitution shall impore, or authorise the imposition of, a law in respect of any water or electricity stored, generated, consumed, distributed or sold by any authority established by any existing law or any law made by Partiament for regulaling or developing any inter-State river or river-valley Explanation-The expression law of a State in force in this clause shall include a law of a State passed or made before the commencement of this Constitution and not previously repealed, notwitholanding that it or parts of it may not be then in operation either at all or in pasticular areas.

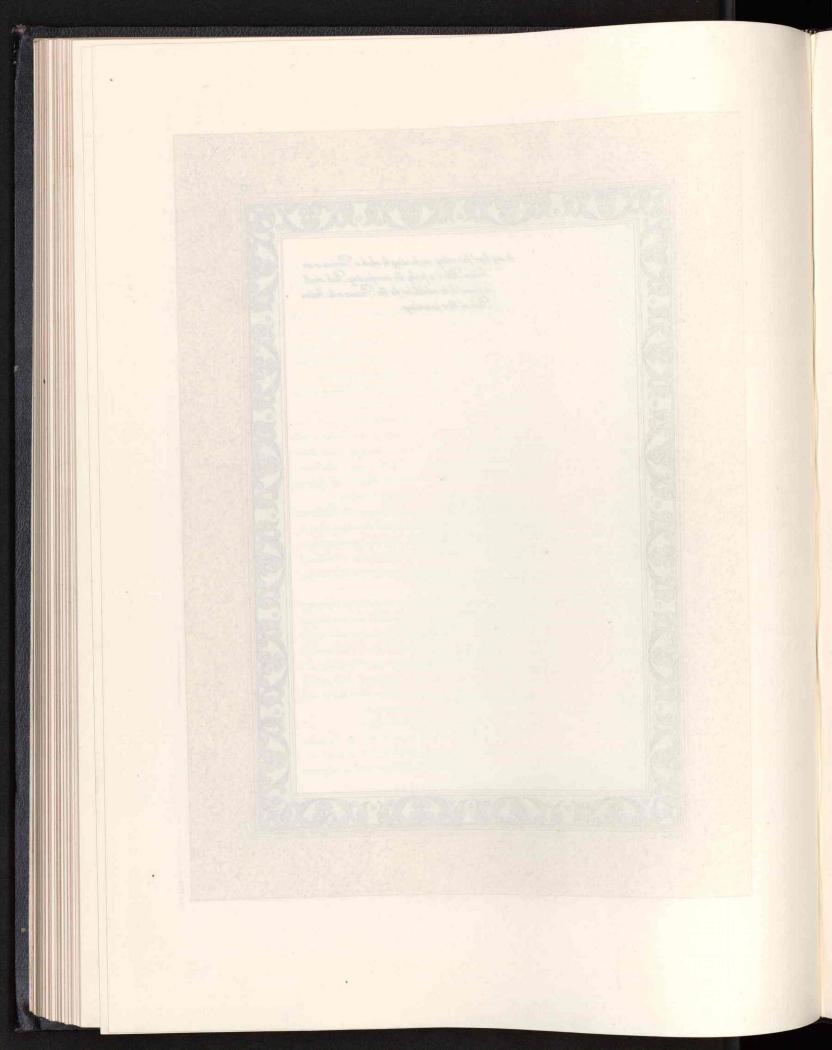
(2) The Legislature of a State may by law impose, or authorise the imposition of any such tox as is mentioned in clause (1), but no such law shall have any effect unless it has after having been reserved for the consideration of the President, received his assent; and if any such law provides for the fixation of the rates and other incidents of such haz by means of rules or unders to be made under the law by any authority, the law shall provide for the previous consent of the President being obtained to the making of any such rule or order. 289 The property and income of a State shall be exempt from Union laxation. (2) Nothing in clause (1) shall prevent the Union from imposing or authoris ing the imposition of, any lax to such extent, if any, as Taxliament may by law provide in respect of a trade or business of any kind carried on by, or on behalf of, the Government of State, or any operations connected therewith, or any property used or excupied for the purposes of such trade or business, or any income auniing or arising in connection therewith. (3) Nothing in clause (2) shall apply to any trade or business, or to any class of brade or business, which Parliament may by law declare to be incidental to the ordinary functions of government 290. Where under the provisions of this Ecustitution the exposes of any court or Commission, or the pension payable to or in respect of a person who has served before the commoncement of this Econtitution under the Crewn in India such commencement in connection with the affair of the Union or of a State, are charged on the Consolidated Tund of India of the Consolidated Fund of a State, then if -(a) in the case of a charge on the Convolidated Fund of India, the court or Commission sorver any of the reparate needs of a State, or the ferson has served wholly or in part in connection with the offices of a State; or (6) in the case of a charge on the Consolidated Fund of a State, the count or Commission serves any of the separate needs of the Union or another State, or the person has served wholly or in past in connection with the affairs of the Union or another State, there shall be scharged an and paid out of the Consolidated Fund of the State

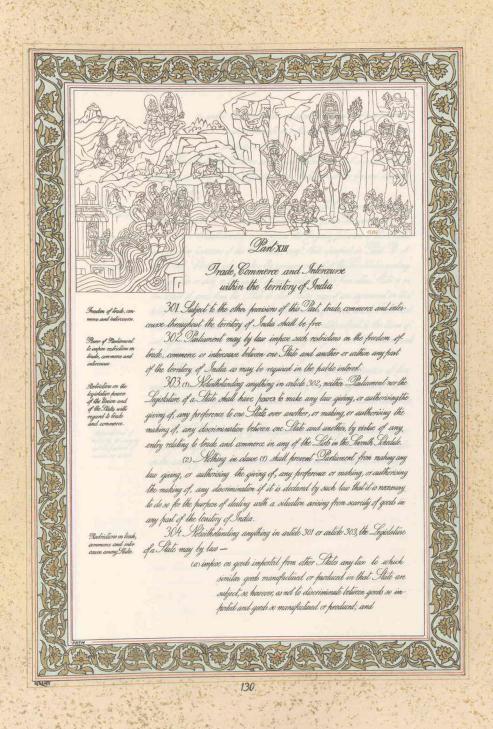
or, as the case may be, the Ecosolidated Tund of India or the Consolidated Tund of the other State, such contribution in respect of the expenses or pension as may be agreed, or as may in default of agreement be determined by an arbitrator to be appointed by the Chief Justice of India. 291.05 Where under any covenant or agreement entered into by the Ruler of any Indian State before the commencement of this Constitution, the payment of any sums, free of tax, has been quarenteed or assured by the Government of the Dominion of India to any Puder of such State as privy purse — (a) such sums shall be charged on, and paid out of the Constituted Fund of India; and (t) the sums so paid to any Pluter shall be exempt from all (2) Where the territories of any such Indian State as a foresaid are comprised within a State specified in Part Acr Part Boy the First Schedule, there shall be charged on, and paid out of the Consolidated Fund of that State such contribution, if any, in respect of the payments made by the Government of India under clause (1) and for such period so may, subject to any agreement entered into in that behalf under clause (1) of article 279, be determined by order of the President. Chapter II. - Berrowing 292. The executive power of the Union extends to borrowing upon the security of the Consolidated Fund of India within such limits, if any, as may from time to time be fixed by Parliament by law and to the giving of guarantees within such limits, if any, as may be so fixed. 293.cs, Subject to the provisions of this article, the executive power of a State Berrowing by States extends to borrowing within the benitary of India upon the security of the Consolidated Fund of the State within such limits, if any, as may from time to line be fixed by the Legislature of such State by law and to the giving of guarantees within such limits, if any, as may be so fixed. (2) The Government of India may, subject to such conditions as may be laid down by er under any bow made by Pastiament, make borno to any State or, so long as any limits fixed under article 232 are not exceeded, give quarantees in respect of boars raised by any State, and any sums

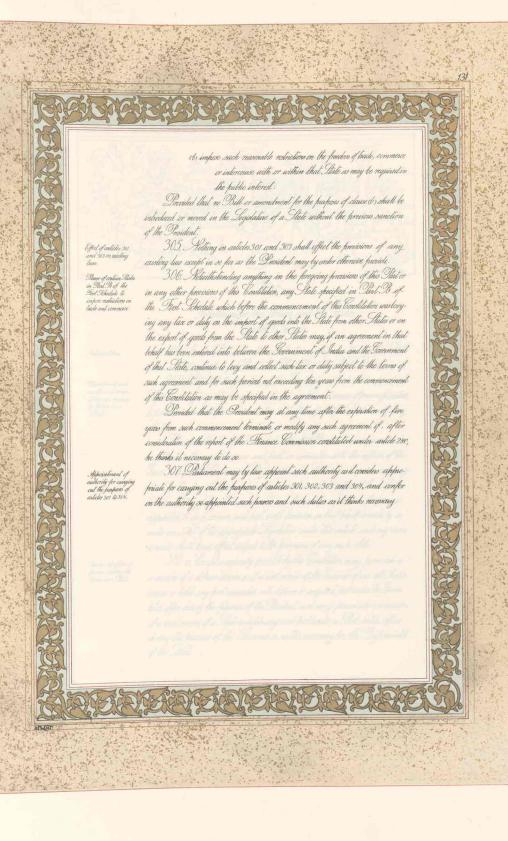
required for the funface of making such boars shall be scharged on the Eurodidated Sund of India (3).A State may not without the consent of the Government of India raix any lean if there is still cutstanding any part of a lean which has been made to the State by the Government of India or by its pradacover Government or in respect of which a quarantee has been given by the Government of India or by its predecessor Government. (4) A consent under clause (3) may be granted subject to such conditions, if any, as the Government of India may think fit to impose. Chapter III-Property, Contracts, Rights Stabilities, Olligations and Suits 294. As from the commoncement of this Corolitation -(a) all property and axels which immediately before such commence ment were vested in This Majorty for the purposes of the Government of the Dominion of India and all property and arets which immediately before such commence ment were visited in Ibis Majerty for the purpose of the Government of each "Governors" Prevince shall vest respectively in the Union and the corresponding Itale, (b) all rights, liabilities and obligations of the Government of the Dominion of India and of the Government of each Genemor's Province, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations respectively of the Government of India and the Govern ment of each corresponding State, subject to any adjustment made or to be made by reason of the creation before the commencement of this Constitution of the Dominion of Pakistan or of the Provinces of West Bougal, East Pringal, West Prinjal and East Prinjal 295.6) As from the commencement of this Constitution -(as all property and assets which immediately before such commonae mem! were verted in any Indian State corresponding to a State specified in Part B of the First Schedule

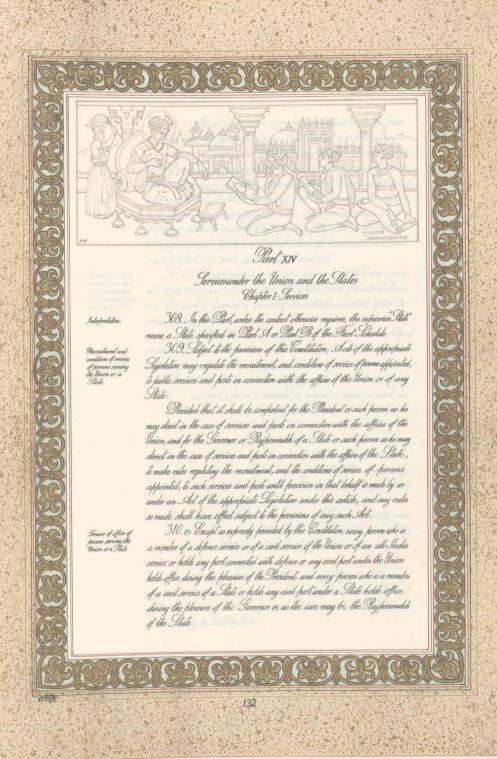
shall vert in the Union, if the purpose for which such property and assets were held immediately before such commencement will thereafter be purpose of the Union relating to any of the matters enumerated in the Union List, and its all rights, hiabilities and obligations of the Government of any Indian State corresponding to a State specified in Part Bef the First Schedule, whether evising out of any contract or otherwise, shall be the rights, his bilities and obligations of the Government of India, if the purpose for which such nights were acquired or liabilities or obligations were incurred before such commencement will thereafter to the purpose of the Government of India relating to any of the matter enumerated in the Union List, subject to any agreement entered into in that behalf by the Government of India with the Government of that State. (2) Subject as afereraid, the Government of each State specified in Part B of the First Schedule shall, as from the commencement of this Constitution, be the successor of the Government of the corresponding Indian State as regards all property and accets and all rights, liabilities and obligations, whether arising out of any contract or otherwise, other than those referred to in clause (). 296. Subject as hereinafter provided, any property in the territory of India which, if this Constitution had not come into operation, would have account to This Majerty or, as the case may be, to the Ruler of an Indian State by, excheat or lapse, or as bona vacantia for word of a rightful owner, shall, if it is property situate in a State, vest in such State, and shall, in any other case, vest in the Union Provided that any property which at the date when it would have so account to This Majesty or to the Pluter of an Indian State was in the pararion or under the control of the Government of India or the Government of a State shall, according as the purposes for which it was then used or held were purpose of the Union or of a State, vert in the Union or in that State. Explanation-Inthis article, the expression "Puler" and "Indian State have the same meanings as in article 363.

Things of value bying within tenetonial water to vest in the Union. 297. All lands, minerals and other things of value underlying the ocean within the territorial waters of India shall not in the Union and be held for the purposes of the Union 798.00 The executive power of the Union and of each State shall extend, subject to any bow made by the appropriate Legislative to the grant, sale, disposition or mortgage of any property held for the purpose of the Union or of such State, as the case may be, and to the purchase or acquisition of property for those purpose respectively, and to the making of contracts. (2) All property acquired for the purpose of the Union or of a State shall west in the Union or in such State, as the case may be 299.00 All contracts made in the exercise of the executive power of the Contracts. Union or of a State shall be expressed to be made by the President, or by the Governor or the Plajframukh of the State, as the case may be, and all such contracts and all assurances of property made in the exercise of that power shall be executed on behalf of the Droident or the Governor or the Rajpanush by such persons and in such manner as he may direct or authorise. (2) Nather the President new the Governor new the Rajpramukh shall be personally liable in respect of any contract or assurance made or executed for the purpose of this Constitution, or for the purpose of any enactment relating to the Government of India heretofore in force, nor shall any poron making or executing any such contract or assurance on behalf of any of Them be personally liable in respect thereof. 300. a.The Gazonoment of India may sue or be sued by the name of Suils and proceed. the Union of India and the Government of a State may sue or be sued by the name of the State and may, outject to any provinces which may be made by Act of Parliament or of the Legislature of such State enacted by virtue of power conferred by this Econtitution, one or he sued in relation to their respective affairs in the like cases as the Dominion of India and the corresponding Provinces or the corresponding Indian States might have sued or been sued if this Constitution had not been enacted. (2) If at the commencement of this Constitution (a) any legal proceedings are pending to which the Dominion of India is a party, the Union of India shall be deemed to be substituted for the Dominion in those proceedings, and









(2) Notwithstanding that a power holding a civil port under the Union or a State holds office during the pleasure of the President or as the case may be, of the Severnor or Phypramukh of the State, any contract under which a person, not being a member of a defence service or of an all-India service or of a civil service of the Union or a State, is appointed under this Constitution to held such a port may, if the President or the Governor or the Raypnamuch, as the case may be, doesn't necessary in order to seeme the services of a person having special qualificultions, provide for the payment to him of compensation, if before the expiration of an agreed point that post is abolished or he is, for masons not connected with any misconduct on his part, required to vacate that post. 311. (1) No person who is a member of a civil service of the Union or an all-India service or a civil service of a State or holds a civil post under the Union or a State shall be dismissed or removed by an authority subordinate to that by which he was appointed. (2) So such person as aforesaid shall be dismissed or removed or reduced in runk until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him: Provided that this clause shall not apply-(as where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on (b) where an authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to give to that person an apportunity of showing ics where the Proident or Governor or Rajpramukh, as the case may be, is satisfied that in the interest of the security of the State it is not expedient to give to that person such an (3) If any question arises whether it is reasonably functionable to give to any person an opportunity of showing cause under clause (2), the decision thereon of the authority empowered to dismus or remove such person or to reduce him in rank, as the case may be, shall be final.

All India services

312. (1) Notwithelanding anything in Part XX, if the Council of States has declared by resolution supported by not less than two thinks of the members present and voting that it is necessary or expedient in the national interest se to do Partia ment may by law provide for the screetien of one or more all India services common to the Union and the States, and subject to the other previous of this Chapter, regulate the recruitment, and the conditions of service of persons appointed to any such service.

(2) The services known at the commencement of this Constitution as the Indian Idministrative Service and the Indian Idice Service shall be deemed to be services created by Parliament under this article.

Transitional provisions

313.Until other provision is made in this behalf under this Constitution, all the laws in force immediately before the commencement of this Constitution and expelicable to any public service or any port which continues to exist after the commencement of this Constitution, as an alt. India service or exercise or port under the Union or a State shall continue in force so for as consistent with the provisions of this Constitution.

Precision for protection of existing offices of costain onvices

314 Except as otherwise expressly provided by this Constitution, every person who having been appointed by the Secretary of State in Council to a civil service of the brown in India continuor or and after the common entitle to Constitution to sorve under the Government of India or of a State shall be entitled to receive from the Sevenment of India and the Sevenment of the State, which he is from time to time serving, the same conditions of sovice as respects remuneration, beave and pension, and the same rights as expectationary mallers or rights as similar theories, as changed six cumulances may permit as that person was cultiled to immediately before such commencement.

Chapter 11.—Public Service Commissions

Public Service Communions for the Union and for the States 315. (1) Subject to the fornisions of this article, there schall be a Public Service Commission for the Union and a Public Service Commission for each Str. ts

cs Two or more States may agree that there shall be one Public Service Commission for that group of States, and if a resolution to that effect is haved by the Zhouse or, where there are two Zhouses, by each House of the Legislature of each of these States, Phaliament may by law provide for the

appointment of a point-State Static Service Commission (referred to in this Chapter as Joint Communion) to serve the needs of these States.

(3) In such law as aforesaid may contain ouch incidental and consequential precisions as may be necessary or desirable for giving effect to the furpose of the law

on The Public Service Commission for the Union of requested so to do by Mr. Governor or Pajpoamushh af a State, may, with the approval of the President, agree to serve all or any of the needs of the State.

(5) Reference in this Constitution to the Union Public Service Commission or a State Public Service Commission shall, unless the context other vive requires, be construed as references to the Commission serving the news of the Union or, as the case may be, the State as respects the particular matter in auxilian

an equation.

316 (v) The Chairman and other member of a Public Service Economission chall be appointed, in the case of the Union Geometricise or a Joint Economission by the Provident, and in the case of a State Economission, by the Geovernor or Rajmonukh of the State:

Onwided that as nearly as may be one half of the members of every Public Service Commission should be persons who at the date of their respective appoint ments have held office for all least ben zears either under the Severnment of India or under the Severnment of a Glade and in computing the said penal of ten years any period before the commencement of this Constitution during which a person has held office under the Grown in India or under the Severnment of an Indian State shall be included.

(2) A member of a Public Service Communic shall hall affice for a term of sice year from he dot on which he enters upon his office or whil he attains, in the case of the Union Economission, the age of socity-five years, and in the case of a State Commission or a Joint Commission, the age of socity year, whichever is earlier:

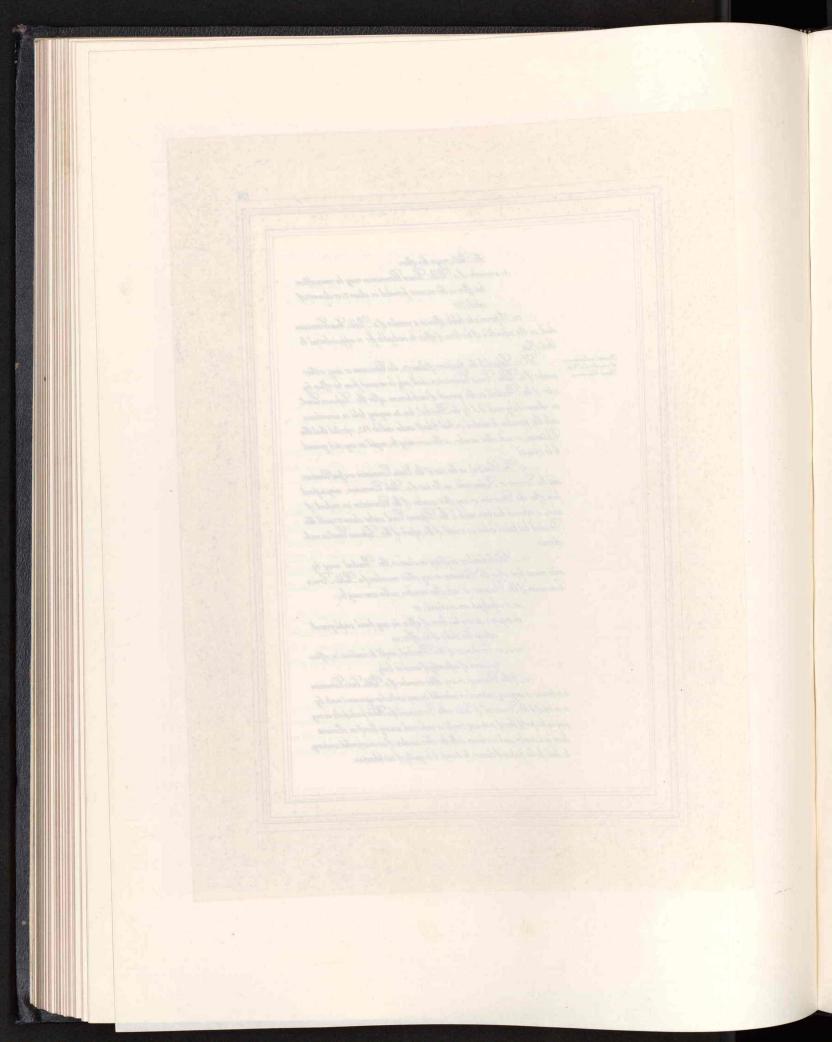
Drovided that -

(a) a member of a Tubbic Screice Commission may, by screeting under his hand addressed, in the case of the linear becomes in or a fourth Commission, to the Provident, and in this case of a State Commission, to the Governor or Najpramukh ef

The Thompson held from the side of the retrieve of the

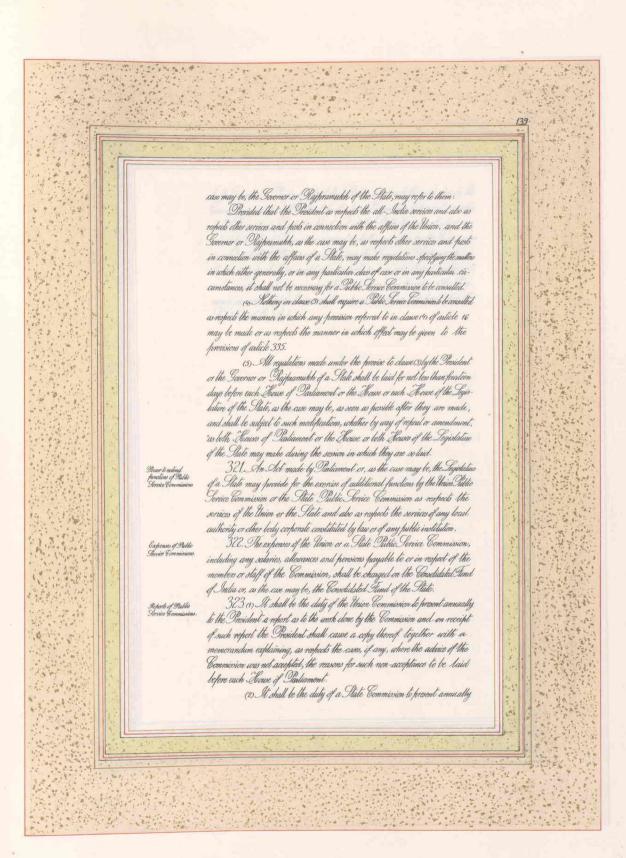
(to a member of a Public Service Commission may be removed from his office in the manner provided in clause (1) or clause (3) of (3) A person who holds office as a member of a Public Senice Commission shall, on the expiration of his term of office, be ineligible for re-appointment to source for... 311.(1) Subject to the finvision of claws (3), the Chairman or any either monter of a Subtic Service Commission shall only be removed from his office by order of the Pherident on the ground of misbehaviour after the Supreme Court, on reference being made to it by the Provident, has on inquiry held in accordance with the procedure presented in that behalf under article 145, reported that the Chairman or such other member, as the case may be, ought on any such ground (2) The President, in the case of the Union Economission or a faint Economission, and the Governor or Rajparnukh, in the sase of a State Commission, may suspend from office the Chairman or any other member of the Commission in respect of whom a reference has been made to the Supreme Court under clause (1) until the President has passed orders on receipt of the report of the Supreme Court on such ; (3) Notwitherlanding confliring in clawe (1), bhe Proidont may by, ander romove from effice the Chairman or any other member of a Public Tervice Commission if the Chairman or such other member, as the case may be,-(a) is adjudged an involvent; or the ongages during his term if office in any paid employment outside the dulies of his effice; or co is, in the epinion of the President, unfit to continue in effice by reason of infirmity of mind or body. (4) If the Chairman or any other member of a Sultic SoviceCommission is or becomes in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of That or participates in any way in the profit thereof or in any bonefit or omelument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purpose of clause (1), be deemed to be quilty of mirbohariour.

Romeral and suspension of a member of a Public Service Commission.

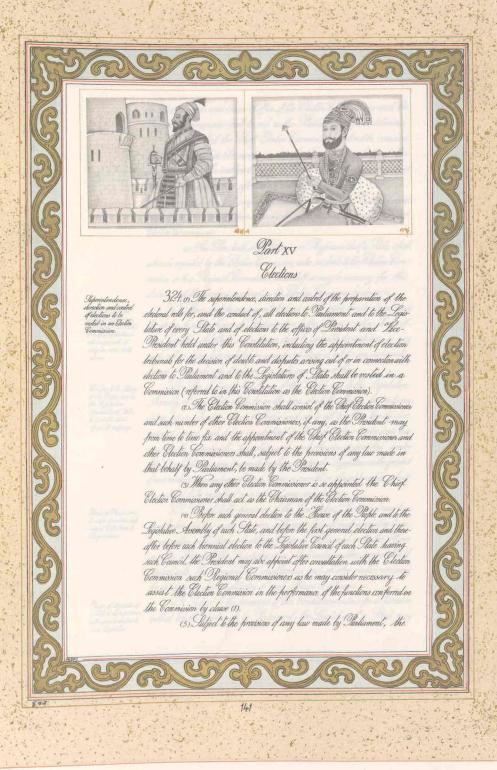


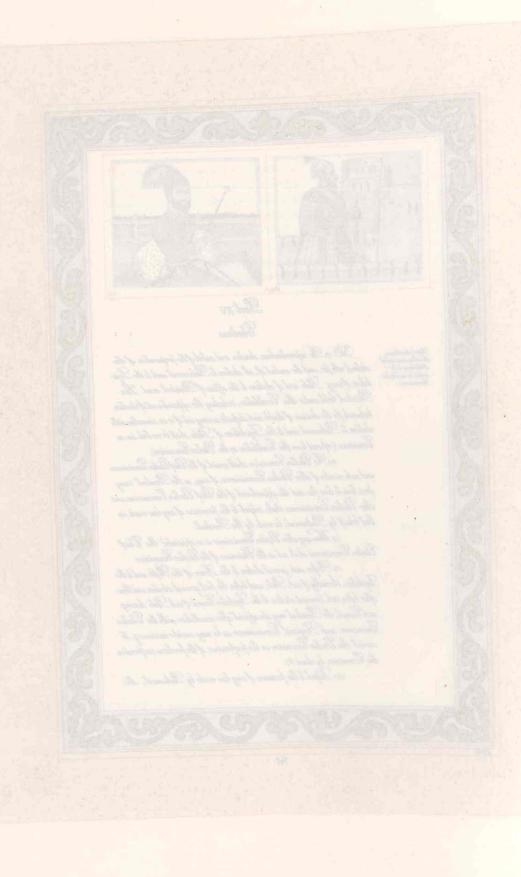
318. In the case of the Union Commission or a Joint Commission, the President and, in the case of a State Commission, the Governor or Pajpramukh sations as to
sometimes of sortea
of members and
staff of the Comof the State may by regulations cas determine the number of members of the Commission and their conditions of service; and (b) make provision with respect to the number of members of the staff of the Commission and their conditions of service: Provided that the conditions of service of a member of a Rebit Serva Commission shall not be varied to his disadvantage after his appointment. 319. On ceasing to hold office -Rehibition as to the car the Chairman of the Union Tublic Service Commission shall be ineligible for further employment either under the Government of India or under the Government of a State; (b) the Chairman of a State Public Service Commission shall be eligible for appointment as the Chairman or any other member of the Union Public Service Commission or as the Chairman of any other State Tublic Service Commission, but not for any other employment either under the Government of India or under the Government of a State; (c) a momber other than the Chamman of the Union Public Service Commission shall be eligible for appointment as the Chairman of the Union Public Service Commission or as the Chairman of a State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State; (d) a momber other than the Chairman of a State Sublic Service Commission shall be eligible for appointment as the Chairman or any other member of the Union Tublic Service Commission or as the Chairman of that or any other State Public Sonice Commission, but not for any other employment either under the Government of India or under the Government of 320.0). It shall be the duty of the Union and the State Public Service Commissions to conduct examinations for appointments to the services of the Union

and the services of the State respectively. (2) It shall also be the duty of the Union Public Service Commission, if requested by any two or more States so to do, to assist these States in framing and openating schemes of joint recruitment for any service for which candidates cs The Union Public Service Commission of the State Tublic Service Commission, as the case may be, shall be consulted cas on all matter relating to methods of reconitment to civil service and for civil post; vis on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers; os en all disciplinary mallor affecting a person serving under the Government of India or the Government of a Itali in a civil capacity, including memorials or pelitions relating to (ds on any claim by or in respect if a person who is serving or has served under the Government of India or the Government of a State or under the Crown in India or under the Governmont of an Indian State, in a civil capacity, that any costs incurred by him in defonding legal proceedings invitated against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the Cowelidated Fund of India, or, as the case may be, out of the Consolidated Fund of the State; (e) on any claim for the award of a pension in respect of insuries ountained by a power while serving under the Government of India or the Government of a State or under the Errown in India or under the Government of an Indian State, in a civil capacity, and any question as to the amount of any such award, and it shall be the duty of a Public Service Commission to advise on any matter so referred to them and on any other matter which the President, or, as the



as held be a first to suck marketine a detaclos any frogenic analone M. Frank Blanch Frank Barth Spiller to the Sevenier or Rajpamukh of the State a report as to the work dene by the Commission, and it should be the duly of a foint. Commission to present armusthy to the Severnor or Rajpamukh of each of the States the needs of which are served by the Joint Commission a report as to the work done by the Commission in relation to that State, and in either case the Sevenor or Rajpamukh, so on reason so mai some, and in ouner case me sovernor or Rappointain. So the case may be, shall, on necify of such report, cause a copy thereof legeline with a monorandum explaining, as respects the cases, if any, where the advice of the Bommission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State.



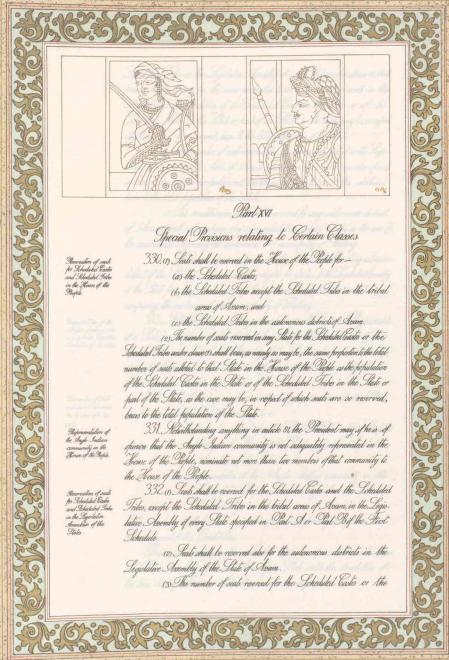


conditions of service and tonune of office of the Election Commissioners and the Regional Commissioners shall be such as the President marzhy rule determine: Draided that the Chief Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a Judge of the Supreme Ecurt and the conditions of service of the Chief Selection Commissioner shall not be varied to his disadvantage after his appointment: Provided further that any other Election Commissioner or a Regional Commissioner shall not be removed from office except on the recommendation of the Chief Election Commissioner (c) The Provident, or the Governor or Rajpramuch of a State, chall, whon so requested by the Election Commission, make available to the Election Commission or to a Regional Commissioner such staff as may be necessary for the six harge of the functions conferred on the Election Commission by clause (1). 325. There shall be one general electoral roll for every territorial constituency No persen to be in-No percen to to ser-eligible for inclusion in, es le claim le te included en a special, eticloral nell en grounels of religion, race, caste et coa for election to either House of Dinhamont or to the House or either Thouse of the Segislature of a State and no power shall be inoligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them. 326. The elections to the Thouse of the People and to the Legislative Elections to the Louse of the Depte and to the Tegolatwe Accemblis of Hatis to be on the lasis of excluse outfrage Assembly of every State shall be on the basis of adult suffrage; that is to say. every person who is a citizen of India and who is not tens than liventy-one years of age on such date as may be fixed in that behalf by or under any law made by the appropriate Segiolature and is not otherwise disqualified under this Constitution or any law made by the appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election 327. Subject to the provision of this Constitution, Parliament may from Deser of Sarliament to make provine with rapact to elections to Legislatures time to time by law make provision with respect to all matter relating to, or in connection with, election to either Thouse of Philiament or to the House or either House of the Legislatine of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such Showse or Thouses. 328 Subject to the provision of this Constitution and in sofar as prevision inthat behalf is not made by Parliament, the Segiolative of a State may a State to make presence with respect to elections to ouch Sozialatuse



from time to time by law make previous with respect to all matters relating to; or in connection with, the elections to the Shows or either Shows of the Legislatine of the State including the preparation of electoral rolls and all other matters necessary for securing the due constitution of such Scowe or Scowes.

329. Notwitholanding anything in this Tenstitution—
sas the validity of any low relating to the delimitation of constituencies
or the alletment of seals to such constituencies, made or purporting to be made under article 327 or article 328, shall not be called in question in any coal; (to no election to either Leave of Instament or to the Leave so either Showe of the Legislature of a State shall be sestled in question except by an election petition presented to such authority and in such manner as may be previded for by ar under any law made by the appropriate Legislature.



The state of the s

Scheduled Tribes in the Legislative Assembly of any State under clause(1) shall bear, as nearly as may be, the same proportion to the lotal number of seats in the Assembly as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State or part of the State, as the case may be, in report of which seats are so reserved, bears to the total population of the State on The number of seats recovered for an autonomous district in the Legislative Axombby of the State of Assam shall bear to the total number of seats in that Accombly a proportion not less than the population of the district bears to the total population of the State. (5) The constituencies for the seats reserved for any autonomous district of Account shall not comprise any area vulside that district except in the case of the constituency comprising the cardonment and municipality of Shilling. (6) As person who is not a momber of a Scheduled Tribe of amy a district of the State of Assam should be eligible for election to the Legislative Exemply of the State from any constituency of that district except from the constituency 333. Netwithstanding anything in enticle 170, the George or Rajpamukh if a State may, if he is of opinion that the Anglo-Indian community needs representation in the Legislative Assembly of the State and is not adequately represented therein, nominate such number of members of the community to the Assembly as he considers apprefriate. 334. Nativitalizating anything in the faregoing provisions of this Part, Roservation of seals and special representa-tion to come after ten the provisions of this Constitution relating to -(as the resonation of seats for the Scheduled Easts and the Scheduled Initio in the House of the Scople and in the Legislative Accomblies of the States; and (b) the representation of the Angle- Indian community in the Nouse of the People and in the Legislative Assemblies of the States by nomination, chall cease to have effect on the expiration of a period of ten years from the commencement of this Constitution: Thorized that nothing in this volide shall affect any representation in the Theuse of the Puple or in the Legislative Assembly of a State until the dissolution of the then existing House or Assembly, as the case may be.

335. The claims of the members of the Scheduled Earles and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and post in connection with the affairs of the Union or of a State 336. (1) During the first live years after the commoncement of this Constitu tion, appointments of members of the Anglo-Indian community to post in the nativary, customs, postal and telegraph sorrices of the Union shall be made on the same basis as immediately before the fifteenth day of August, 1947. During every succeeding period of two years, the number of polo reserved for the members of the said community in the said service shall, as nearly as parible, be too by ten per cent than the number so reserved during the immediately proceeding period of two years: Drivided that at the end of ten years from the commencement of this Constitution all such reservations shall cease (2) Nothing in clause (1) shall bor the appointment of members of the Angle-Indian community to posts other than, or in addition to, those reserved for the community under that clause if such members are found qualified for appointment on ment as compared with the members of other communities. 337. During the first three financial years after the commencement of this Constitution, the same grants, if any, shall be made by the Union and by each State specified in Start A or Stort B of the First Schedule for the benefit of the Anglo-Indian community in respect of education as were made in the financial year ending on the thirty-first day of March, 1948. During every succeeding period of three years the grants may be less by ten per cent than three for the immediately preceding period of three year: Societied that at the end of ten years from the commoncement of the Combite tion each grants, to the extent to which they are a special concession. To the Provided further that no educational institution shall be entitled to receive any grant under this article unless at least forty per cent of the annual admissions therein are made available to member of communities other than the Anglo-338. (n There shall be a Special Officer for the Scheduled Earles and Scheduled Tribes to be appointed by the President.

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with a monomondum explaining the action baken thereon to be laid before each Thouse of Unitiament.

341. (a) The Invident may, after amoutlation with the Governor or Rej-pramukh of a State, by public notification, specify the carbo, races or britise or pads of or groups within castes, races or britise which shall for the purpose of this Constitution be deemed to be Scheduled Carbo in relation to that State.

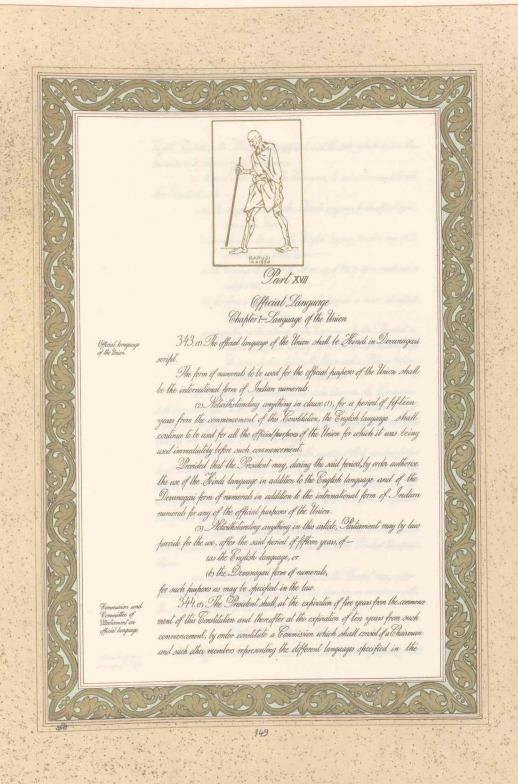
(2) Tertionent may by law include in or exclude from the list of Scheduled Carles specified in a notification issued under clause (1) any carbe, race or tribe or part of or group within any carbe, race or bribe, but save or aftereraid a notification issued under the said clause shall not be varied by any subsequent notification.

342.0, The President may after consultation with the Governor or Rajpwamukh of a State, by public notification, specify the bribes or bribal communities or partiof or groups within bribes or bribal communities which whath for the furpose of this Constitution to deemed to be Scheduled Intro in relation to that

(2) Unhammet may by law include in a exclude from the list of Ichalubed. Tribes specified in a notification issued under clause (1) any tribe or bribal community or hart of or group within any bribe or bribal community, but save as aforesaid, a notification issued under the said clause shall not be varied by any subsequent notification.

Scholuled Cartin

Scheduled Iribas.



Eighth Schedule as the President may appoint, and the order shall define the procedure to be followed by the Commission 125 It shall be the duty of the Commission to make recommendations to the President as to cas the progressive use of the Kindi language for the official purpares of the Union; (1) restrictions on the use of the English language for all or any of the official purpose of the Union; (c) the language to be used for all or one of the purpose mentioned in article 348; (d) the form of numerals to be used for any one or more specified purposes of the Union; (e) any other matter referred to the Commission by the President as regards the efficial language of the Union and the banquage for communication between the Union and a State or between one State and another and their use. (3) In making their recommendations under clause (2), the Commission shall have due regard to the industrial, cultival and scientific achievement of India, and the just claims and the interests of persons belonging to the non-Bindi speaking areas in regard to the public services on These shall be constituted a Committee associary of thirty members, of whom twenty shall be members of the Thewe of the Scope and lin shall be members of the Council of States to be elected respectively by the members of the Thoward the Supple and the members of the Council of States in accordance with the system of proportional representa tion by means of the single transferable vote. (5. It shall be the duty of the Committee to examine the recommendations of the Commission constituted under clause (1) and to report to the President their opinion (6) Schriftolanding anything in unlide 343, the Provident may, after consideration of the report referred to in claws 55, ions directions in accordance with the whole or any part of that report. Chapter 11.- Regional Languages 345. Subject to the previsions of articles 346 and 347, the Legislature of a State

may by law adopt any one or more of the languages in use in the State or Frindi as the language or hanguages to be used for all or any of the efficial purposes of that State.

Drovided that, until the Legislature of the State otherwise knowder by law, the English language shall continue to be used for those efficial purposes within the State for which it was being used immediately before the commencement of this Constitution

Official language for examinication between one State and unother ar latinon a State and the Union 346. The language fer the lime being authorised for use in the Union For official furtures shall be the official language for communication between one State and snother State and between a State and the Union:

Invalid that if two or more States agree that the Handi sanguage should be the official language for communication between such States, that tanguage may be used for such xommunication.

Special provision relating to tangunge openes by a cocton of the population of a Halo

347. On a demand being made in that behalf, the Provident may if he is satisfied that a substantial propertion of the population of a State device the are of any language species by them to be recognised by that State, desert that such language shall also be efficially recognised throughout that State or any past though for such fundore as he may specify.

Chapter III — Language of the Supreme Court, Seigh Courts, etc.

Longuage to be used in the Superior Court and in the High Courts and for Acts, Bills, etc. 348.a, Natviblishonding anything in the feregeing provisions of this Peart, until Indianent by law atherwise provides—

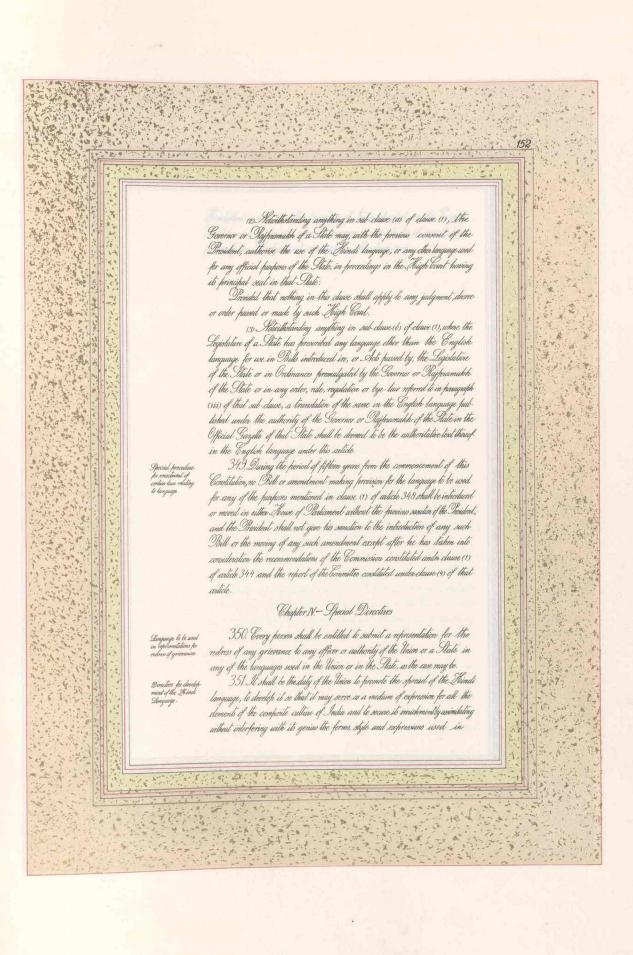
(a) all preceedings in the Supreme Court and in every High Court, (b) the authoritative lexis—

(i) of all Bills to be inhoduced or amendments thoub to be moved in either Shows of Parliament or in the Shows or either Throws of the Legislature of a State,

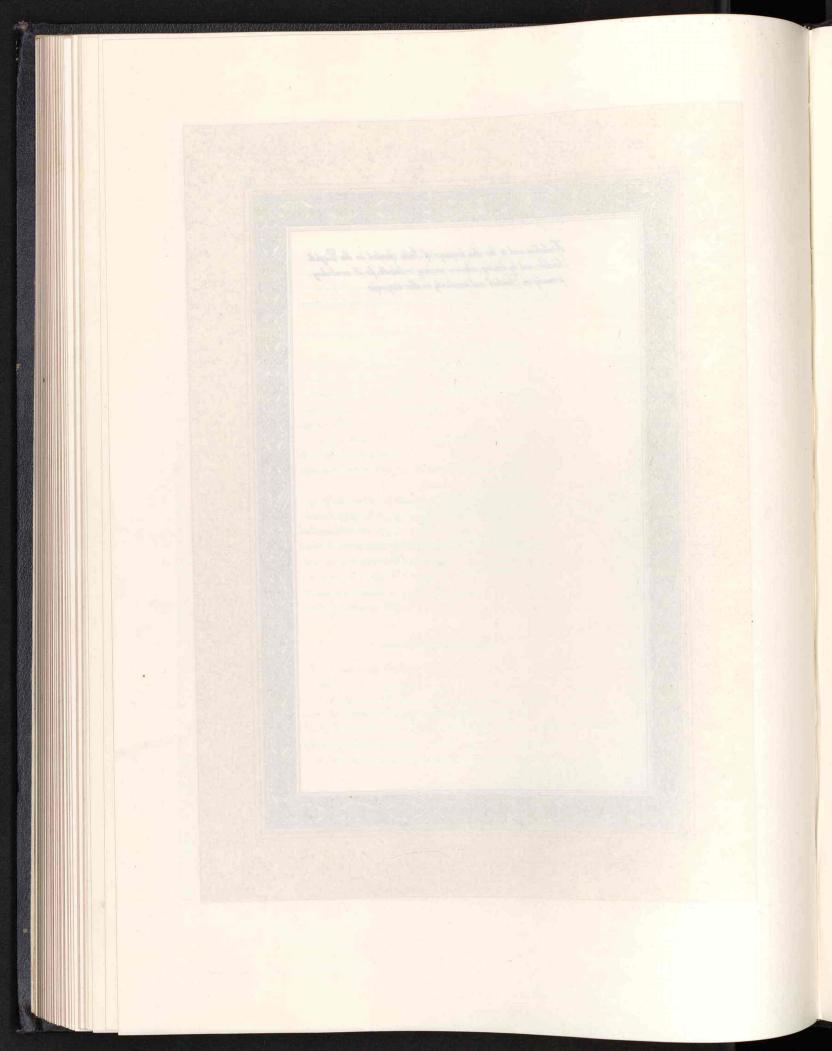
is of all Act passed by Parliament or the Legislative of sa State and of all ordinances premulgated by the Provident or the Severner or Plajpramukhi of a State, and

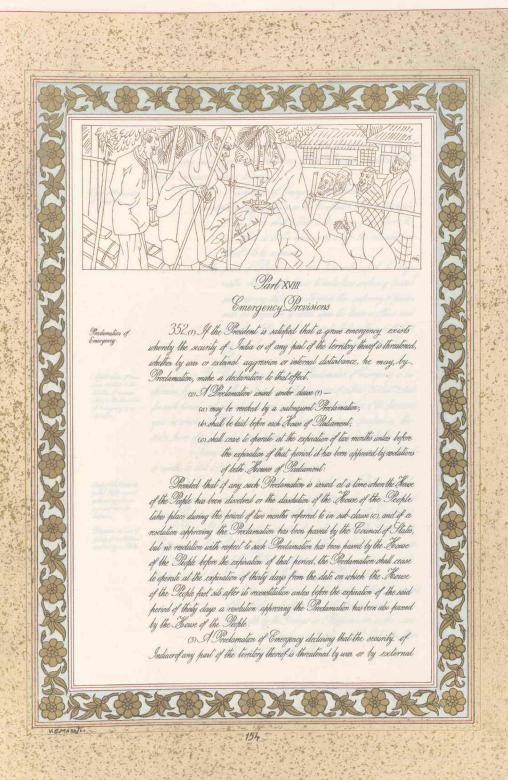
(rii) ef all cales, rules, regulations and tyre laws issued under this benetiti tion or under any law made by Paolament et the Legislature of a State,

shall be in the English language.



There is Below the Street and the property of the College Stranger Sugar property to land to any of the period is made in hand to have the handland Dindustani and in the other languages of India specified in the Eighth Schedule, and by drawing, wherever necessary or deviable, for its vecabulary, primarily on Sanskrit and secondarily on other languages.





aggression or by internal disturbance may be made before the actual occurrence of was or of any such aggression or disturbance if the President is satisfied that there is imminent danger thereof. 353. While a Prodomation of Emergency is in speculiar, then-

(a) notwithelanding anything in this Constitution, the executive power of the Union shall extend to the giving of directions to any State as to the manner in which the executive power thereof is to be exercised;

(b) the power of Parliament to make law with respect to any matter shall include power to make law conferring powers and imporing dulies, or authorizing the conferring of powers and the imposition of dulies, whom the Union or officers and authorities of the Union as respects that matter, notwithstand ing that it is one which is not enumerated in the Union

354 (1) The President may, while a Produmation of Emergency is in operation, by order direct that all or any of the pravisions of articles 268 to 279 shall for such heriod, not exclording in any case beyond the expiration of the financial year in which such Incolumation seases to operate, as may be specified in the order, have effect subject to such exceptions or modifications as he thinks fit.

(2) Every order made under clause (1) shall, as seen as may be after it is made, be haid before each House of Parliament.

Duly of the Union to protect States against external aggression and internal dis-liabance.

failure of constitutions machinery in States

3.55. It shall be the duly of the Union to predect every State against external aggresion and internal disturbance and to ensure that the government of every State is carried on in sacretance with the provisions of this Constitution

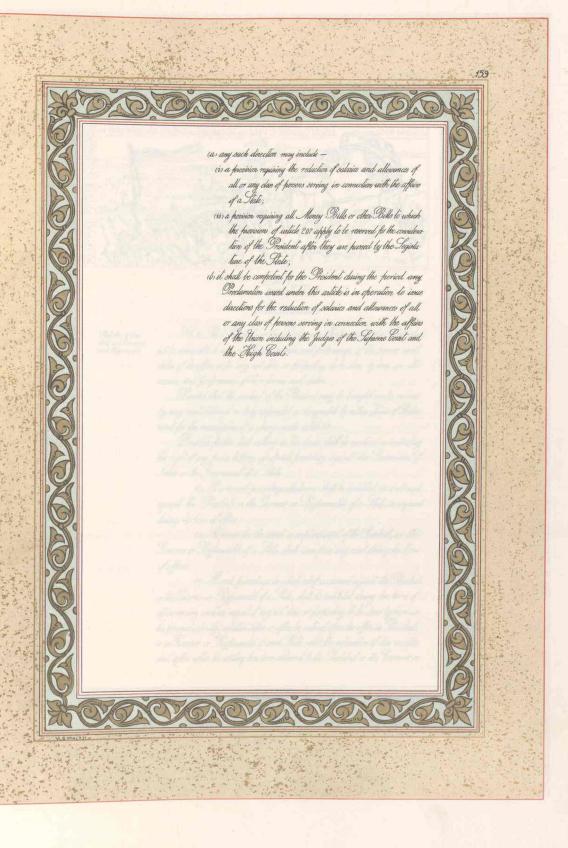
356. (1) If the President, on receipt of a report from the Governor or Rajpamukh of a State or otherwise, is satisfied that a situation has arison in which the government of the State cannot be carried on in accordance with the provisions of this Constitution, the Phondent may by Proclamation-

(a) assume to himself all or any of the function of the Government of the State and all or any of the powers verted in ar exercisely by the Governor or Rajpamulch, as the scare may be, or any body or authority in the State other than the Segiolature of the State :

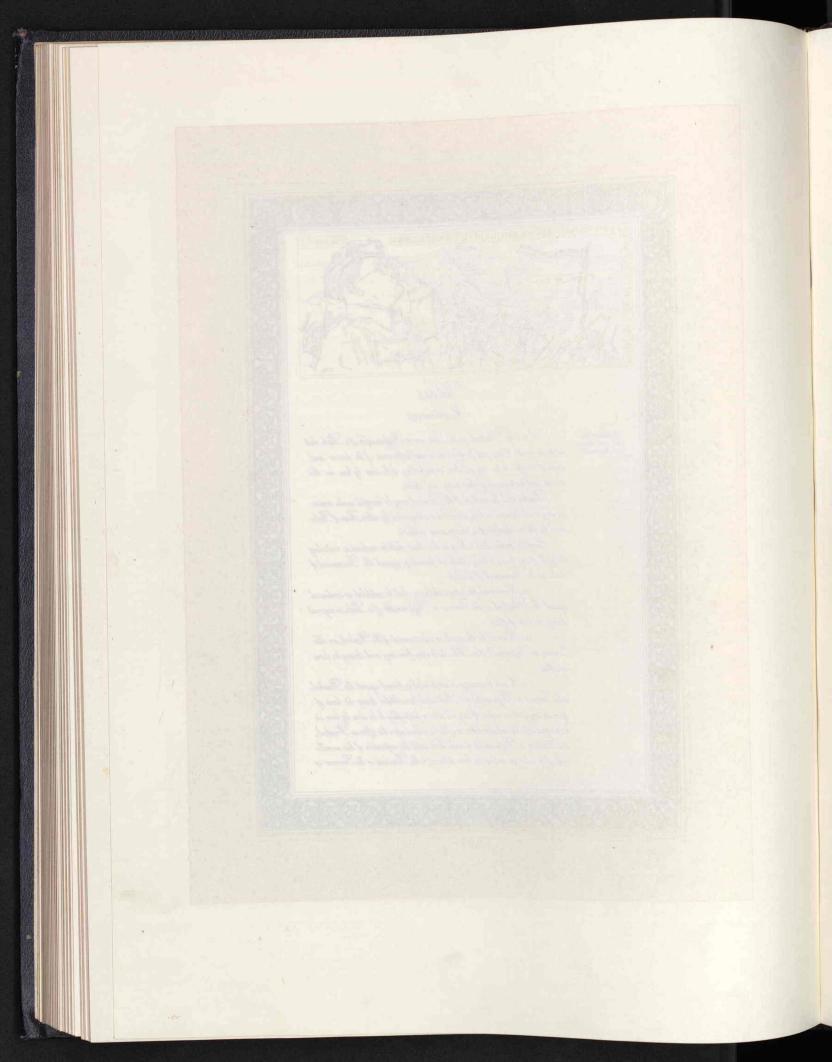
As declare that the power of the Legislature of the State shall be exercisable by or under the authority of Partiament; (c) make such incidental and consequential provisions as appear to the Desident to be necessary or desirable for giving effect to the objects of the Inclumation, including provisions for surponding in whole or in part the operation of any provisions of this Constitution relating to very body or authority in Provided that nothing in this clause shall authorise the President to wome to himself any of the power vested in or exercisable by a Ibigh Court, or to suspend in whole or in part the operation of any provision of this Constitution relating to High Courts. (2) Any such Inclanution may be revoked or varied by a subsequent 3. Every Producation under this article shall be laid before each Thouse of Parliament and shall, except where it is a Phydamalien revoking a previous "Proclamation, cease to operate at the expiration of two mouths unless before the expination of that period it has been approved by resolutions of both Shower of Parliament: Provided that if any such Produnation (not being a Produmation revoking a previous Produnation) is issued at a time when the House of the People is disolved or the disolution of the House of the People takes place during the period of two months referred to in this clause, and if a resolution approxing the Proclamation has been pursed by the Bouncil of States, but no resolution with respect to such Produmation has been passed by the Ibease of the Reple before the expination of that period, the Proclamation shall cease to operate at the expiration of thinky days from the date on which the Thouse of the People first sit after its reconstitution unless before the expiration of the said period of thirty days a resolution approving the Proclamation has been also passed by the Leouse of the Seighte. (4) A Proclamation so approved shall, unless revoked, wase to operate on the expiration of a period of six months from the date of the passing of the second of the resolutions approving the Proclamation under clause (3): Provided that if and so often as a resolution approving the continuance in fonc of such a Proclamation is fusced by both Ibours of Parliament, the Prochamation

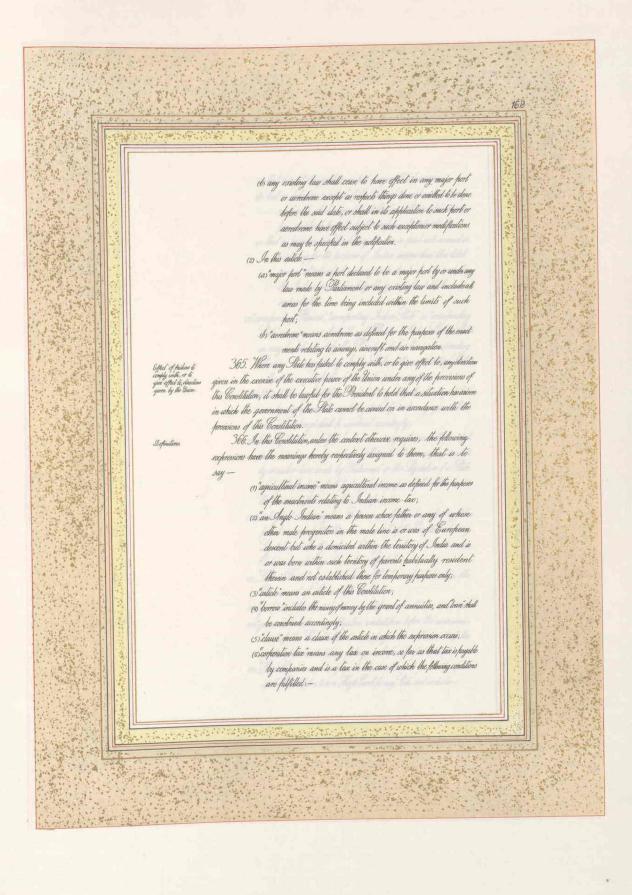
shall, unless revoked, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more them three Drovided further that if the dissolution of the House of the People takes place during any such period of six months and a revolution appearing the continuous in force of such Thedamation has been passed by the Council of States, but no resolution with respect to the continuance in force of such Prochamation has been passed by the Thouse of the People during the said period, the Proclamation shall cease to operate at the expiration of thirty clays from the date on which the House of the Teople fast sits after its reconstitution unless before the expiration of the said period of thirty days a resolution approving the continuance in force of the Problemation has been also passed by the Fease of the People 357.0) Where by a Troclamation issued under clause (1) of article 356, it has Carreive of legislative, peuces under Pro-clamation urued, under article 356 been declared that the power of the Legislature of the State chall be exercisable by or under the authority of Startiament, it shall be competent -(a) for Philiament to confer on the Phindent the power of the Seguitature of the State to make law, and to authorize the Provident to delegate, subject to such conditions as he may think fit to impore, the power so confened to any other authority to be specified by him in that behalf; its for Dastiament, or for the Provident or alher authority in whom such power to make law is vested under sub-clause (a), to make law conferring powers and imposing dulies, or authorising the confening of powers and the imporition of duties, upon the Union or officers and authorities thereof; (c) for the President to authorise when the Showe of the People is not in sersion exchanditure from the Convolidated Fund of the State pending the vanction of such expenditive by Parliament. (2). Any haw made in exercise of the hower of the Legislative of the State by Partiament or the Provident or other authority referred to in out clause (a) of clause (1) which Parliament or the President or such other authority would not, but for the issue of a Proclamation under solicle 356, have been competent to make

shall to the extent of the incompetency, seare to have effect on the expination of a provide Soveryen after the Proclamation has seased to operate except as respect things done or omitted to be done before the expination of the said posicid, unless the previsions which shall so cease to have effect are somer repeated or re-enacted with or without modification by Act of the appropriate Legislative. 358. While a Proclamation of Emergency is in operation, nothing in untick provious of article 19 during 19 shall restrict the power of the State as defined in Part III to make any law or to take any executive action which the State would but for the provisions continued in that Part be competent to make or to take, but any law so made shall, to the exentef the incompetency, cease to have effect as seen as the Incolamation ceases to operate, except as respects things done or smitted to be done before the haw so cause to have 359 (s) When a Produmation of Emergency is in operation, the President may by order declare that the right to move any court for the enforcement if such of the rights conferred by Part III as may be mentioned in the order and all proceedings pending in any coul for the enforcement of the rights so mentioned shall romain surpended for the herical during which the Prodomation is in force or for such shorter period as may be specified in the order (2) An order made as aforeaid may extend to the whole or any part of the tenitory of India. (3) Every order made under clause (1) shall, as soon as may be after it is made, be laid before each House of Parliament. 360 a) If the President is satisfied that a situation has arison whereby the financial slability or credit of India or of any paul of the tenilory thereof is threatened, he may by a Proclamation make a declaration to that effect. (2) The provious of clause (2) of article 352 shall apply in relation to a Inclamation issued under this article as they apply in relation to a Proclamation of Emergency issued under article 352. (3) During the period any such Proclamation as is montioned in clause (3) is in operation, the executive authority of the Union shall extend to the giving of directions to any State to observe such canons of financial propriety as may be specified in the directions, and to the giving of such other directions as the President may elecm necessary and adequate for the purpose.
113 Selvitholanding anything in this Ecostatilien—



PartxIX Miscellaneous 361 (1) The Prendent, or the Governor or Rappeanukh of a State shall not be answerable to any court for the exercise and performance of the powers and dulies of his office or for any act done or purporting to be done by him in the exercise and performance of three proves and duties: Draided that the conduct of the Provident may be brought under review by any court, tribunal or lody appointed or designated by either There of Partie mont for the investigation of a charge under article 61: Drovided fielder that nothing in this clause shall be construed as restricting the right of any person to bring appropriate proceedings against the Government of India or the Government of a State. cr.No criminal proceedings wholvever shall be inviduled or continued against the President, or the Generics or Inspramakh of a State, in any cont during his term of office. cs. He process for the armot or imprisonment of the President, or the Governor or Plajpannisch of a State, shall issue from any xunt during his borm (49 No civil proceedings in schick relief is claimed against the Phosdent, or the Governor or Najpaamisch of a State, shall be instituted claving his borm of office in any court in respect of any act done or purporting to be done by him in his personal capacity, whether before or after he entered upon his office as President, er as Geverner er Rajfmanukh ef ouch State, until the expiration of two menths next after notice in writing has been delivered to the President or the Governor or





and the last week and the the fresh of and

(as that it is not chargeable in respect of agricultural income;

to that no deduction in respect of the law haid by companies is, by any enactments which may apply to the lax, authorized to be made from dividends payable by the companies to individuals;

(c) that no provision exists for taking the tax so paid into account in computing for the purposes of Indian income law the total income of individuals receiving such dividends, or in computing the Indian income-tax payable by, or refundable to, such

(1) Exerce ponding Prasince, "sorre panding Indian State" or "sorre pending State means in case of doubt such Invience, Indian State or State as may be determined by the President to be the corresponding Province, the corresponding Indian State or the corresponding State, as the case may be, for the particular purpose in question;

(8) debt includes any liability in respect of any obligation to repay capital sums by way of annualies and any liability under any guarantee and "debt charges shall be construed accordingly;

(3" entate duty" means a duty to be assessed on or by reference to the principal value, ascertained in accordance with such rules as may be prescribed by or under law made by Parliament or the Legislature of a State relating to the duty, of all property passing upon death or doesned under the provisions of the said laws, so to pass;

(no existing law" means any law, Ordinance, order, bye law rule or regulation passed or made before the commencement of this Constitution by any uistature, authority or person having power to make such a law, Ordinance, order, trye-law, nute or regulation; (m) Tederal Count means the Stederal Count constituted under the

Government of India Act, 1935;

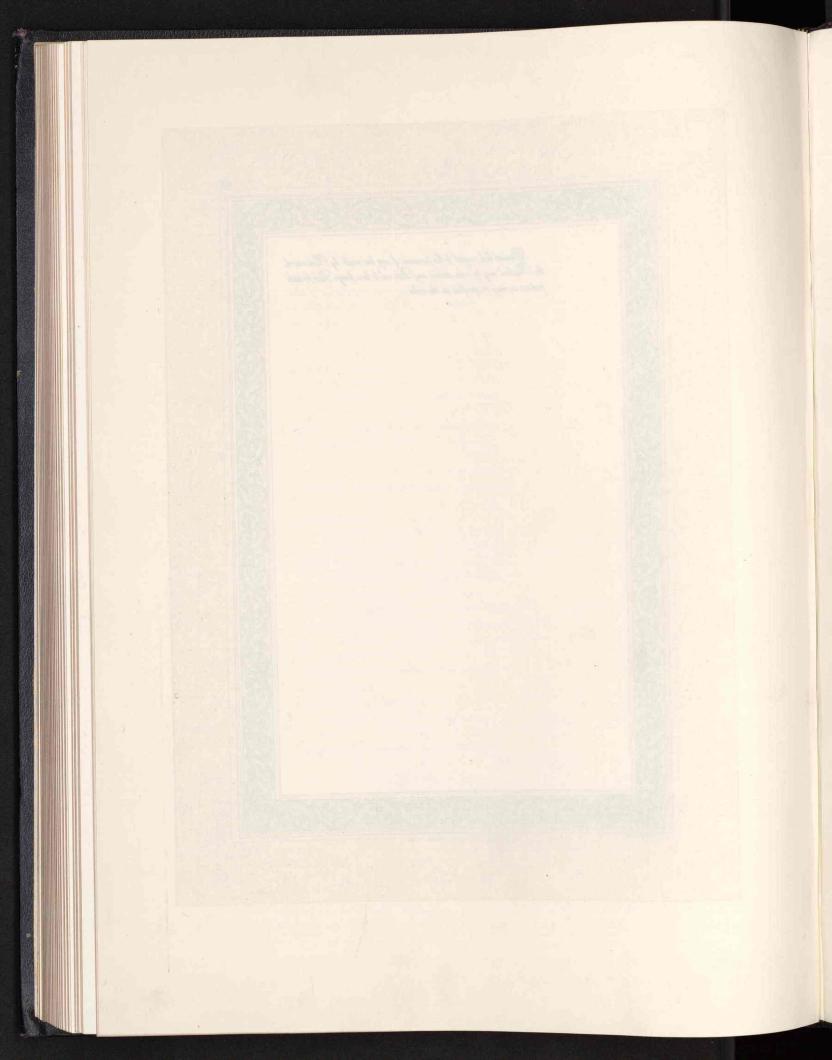
(12) "goods" includes all materials, commodities, and articles;

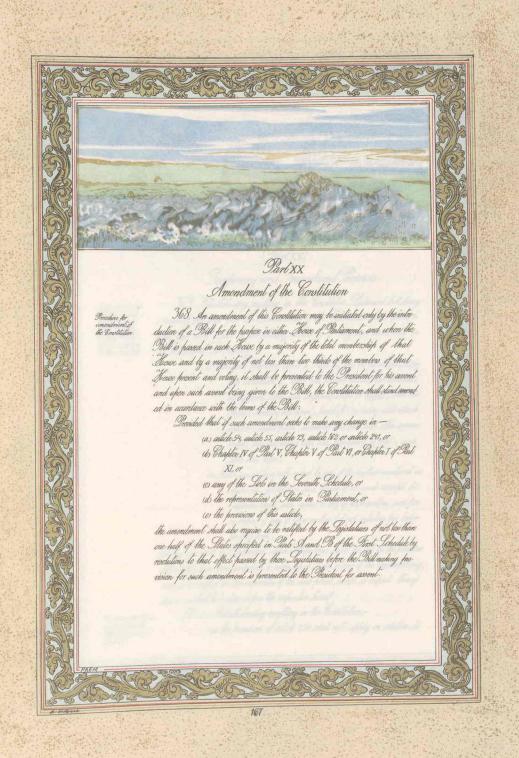
(13) guarante "includeo any orbigation undertaken before the commencement of this Constitution to make payments in the event of the profits of an undertaking falling short of a specified amount; (m) Bigh Court "means any court which is deemed for the purpose of this Constitution to be a Bigh bount for any State and includes—

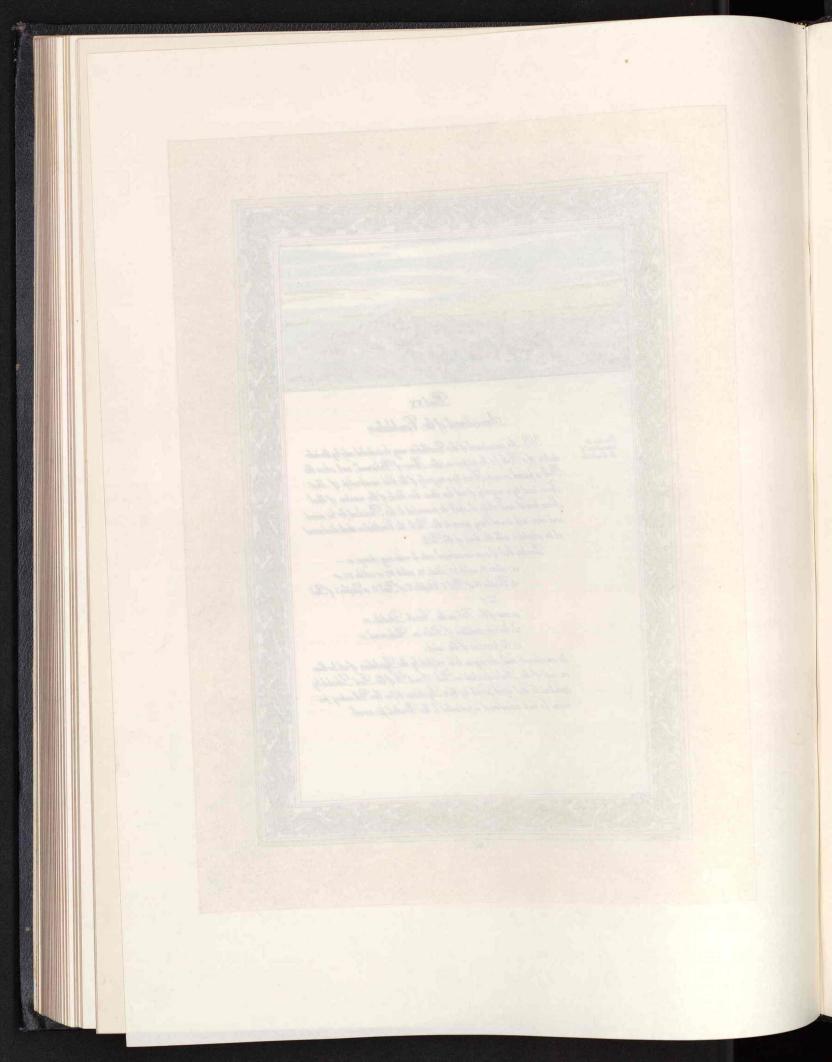
ia) any Court in the territory of India convibiled or reconstituted under this Constitution as a Frigh Court, and do any other bount in the territory of India which may be declared by Parliament by law to be a High Court for all or any of the purpose of this Constitution; (15) Indian State means any territory which the Government of the Deminion of India recognised as such a State; (15) "Part means a Part of this Emplitution; (10 ponsion" means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of any person, and includes relied pay so payable, a gratuity so payable and any sum or sums so payable by way of the return, with or without interest thereon or any other addition thereto, of subscriptions to a provident fund; (10) Produmation of Emergency" means a Produmation issued under clause (1) of article 352; (6) "public notification" means a notification in the Gazette of India, or, as the case may be, the Official Gazette of a Glate; (20) "milway" does not include -(a) a biamway wholly within a municipal area, or (b) any other line of communication wholly situate in one State and declared by Parliament by law not to be a railway; (21) Rajpramukh means (as in relation to the State of Azedonabad, the person who for the time being is recognised by the President as the Hizam of Hyderabad; its in relation to the State of Jammu and Karhmin or the State of Mysore, the person who for the time being is recognised by the President as the Maharaja of that State; and (c) in relation to any other State specified in Part Boy the First Schedule, the person who for the time being is recognised by the President as the Rajhamukh of that State, and includes in relation to any of the said States any person for the time being recognized by the Provident as competent to exercise the powers of the Najpramukh in relation to that State;

(22) "Ruler" in relation to an Indian State means the Prince, Chief or other person by whom any such sevenant or agreement as is referred to in clause (1) of article 291 was entered into and who for the time being is recognised by the President as the Pluter of the Plate, and includes any person who for the time being is recognised by the President as the successor of such Pluder; (23) Schedule" means a Schedule to this Constitution; (cv. Scheduled Caster means such castes, races or tribes or pasts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Easter for the purposes of this Econstitution; (25 Scheduled Tribes means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purpose of this Constitution; (26) "securities" includes stock; (27) "sub-clause" means a sub-clause of the clause in which the expression (20) "taxation" includes the imporition of any tax or import, whether general or local or special, and "tax" shall be construed accordingly; (29) taxe on income "includes a tax in the nature of an occar profibliax; (30) Uparajpramuch "in relation to any State specified in Part B of the Tirst Schedule means the person who for the time being is recognised by the President as the Uparajpranish of that State 367. a) Unlaw the context otherwise requires, the General Clause Act, 1997, shall subject to any adaptations and modifications that may be made therein under article 372, apply for the interpretation of this Constitution as it applies for the interpretation of an Act of the Legislature of the Dominian of India. (2) Any reference in this Constitution to Acts or have of, or made by, ent, or to Acts or law of, or made by, the Legislative of a State specified amuamene, er re Srew er suwrg, er maae vy, me Legunawe g ar naw opeefeel in Pent I er Pent IB of the Tiech Schedale, shall be emstrued as including a reference to an Ordinance made by the Proident er, to an Ordinance made by a Governor er Tighnamukh, as the ease may be. (3) For the purpose of this Emritution "ferrign State" means any State other than India:

Invided that, subject to the provisions of any law made by Sintiament, the Invident may by order declare any State net to be a foreign State for such purpose as may be specified in the order.









the State of Jammu and Teachnive; its the power of Chaliamient to make law for the said State shall be stimiled to—

vis those matters in the Union List and the Concurrent List which, in consultation with the Government of the Sdate, are declared by the Provident to correspond to matter specified in the Instrument of Secession governing the accession of the State to the Demonion of India as the matters with respect to which the Demonion Legislature may make law for that Itale; and

(is such other matter in the said List as with the concurrence of the Sevenement of the State, the Drevident may by

Explanation.— Ser the hurpore of this colide, the Government of the State means the person for the lone being recognized by the President as the Mahangia of Jammu and Nashmia acting on the advice of the Council of Misseless for the time being in office under the Mahangia's Proclamation dated the fifthe day of Narch, 1948;

(c) the provisions of article 1 and of this article shall apply in relation to that State;

(ds such if the other provisions of this Constitution shade upply in relation to that State subject to such exceptions and medifications as the President may by order specify:

Invided that no such order which relates to the matter specified in the Instrument of Accession of the State referred to in paragraph is of out-dawe in chall be esseed except in consultation with the Government of the State:

Invided failing that no such order which relates to matters other than these referred to in the last preceding provises shall be issued except with the concurrence of that Govern-

(2) If the concurrence of the Government of the State referred to in haragraph (iv) of out-clause (b) of clause(s) or in the second previse to outclause (d) of that clause be given before the bonelituent. Is sently for the purpose

of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon (3) Netwitholanding ampling in the foregoing prairies of this which, the Provident may, by public notification, declare that this article shall xease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify: Drovided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification. 371. Schiehslanding anything in this Constitution, during a period of ten years from the commencement thereof, or during such longer or shorter period as Planhoment may by law provide in respect of any State, the Government of every State specified in Sant B of the First Schedule shall be under the general control of, and comply with such particular directions, if any, we may from line to line be given by, the Dresident: Drovided that the President may by order direct that the previsions of this article shall not apply to any State specified in the order. 372.00 Netwitholanding the repeat by this Constitution of the enactments referred to in article 395 but subject to the other provisions of this Constitution, all the law in force in the tenitory of India immediately before the commonwent of this Constitution shall continue in force therein until allered or repealed or amended by a competent Segistature or other competent authority. (2) For the purpose of bringing the provisions of any law in force in the territory of India into accord with the provisions of this Constitution, the Provident may by order make such adaptations and modifications of such law, whether by way of repeal or amendment, as may be necessary or expedient, and provide that the law shall, as from such date as may be specified in the order, have effect subject to the adaptations and modifications so made, and any such adaptation or modification shall not be questioned in any court of law. (3) Nothing in clause (2) shall be deemedias to empewor the President to make any adaptation or medification of any law after the expiration of two years from the con moncement of this Constitution; or its to prevent any competent Legislatine or other competent authority

from repealing or amending any hav netaphol or medified by the Incudent under the said clause. Explanation 1.— The expression "law in force" in this enticle shall include a have proved or made by a Legislative or other competent authority in the limitery of India before the commoncement of this Econtitution and not providedly repeated, notwithstanding that it or parts of it may not be then in operation either at all or in particular areas. Exploration 11. - Iny haw passed or made by a Segislature or other competent multivity in the lenitry of India which immediately before the .com mencement of this Constitution had exha berritorial effect as well as effect in the tenitory of India shall, subject to any such adaptations and modifications as aforesaid, continue to have such extra-territorial effect. Explanation III - Nothing in this article shall be construed as continuing any temporary law in force beyond the date fixed for its expiration or the date on which it would have expired if this Constitution had not come into force. Explanation IV - In Ordinance promulgated by the Governor of a Thorince under section 88 of the Government of India Set, 1935, and in face immedistrely before the commencement of this Constitution shall, unless withdrawn by the Gavennor of the corresponding State earlier, cease to operate at the expiration of six weeks from the first meeting after such commencement of the Segislative Assembly of that State functioning under claws (1) of article 382, and nothing in this article shall be construed as continuing any such Ordinance in force boyond the said period. 373. Until provision is made by Philiament under clause (1) of writele 22, or until the expiration of one year from the commencement of this Constitution, whichever is audier, the said which shall have effect as if for any reference to Parliament in clauses (4) and (7) thereof there were substituted a reference to the Privilent and for any reference to any law made by Parliament in there clauses there were substituted a reference to an order made by the Presi 374. (1) The Judger of the Tectoral Court helding office immediately before the commencement of this Constitution shall, unless they have elected otherwise, become on such commencement the Judges of the Supreme Court and shall thereupon be entitled to such salaries and allowances and to such rights in respect

of leave of alvence and pension as are provided for under article 125 in respect of the Judges of the Supreme Court 121 All suits, appeals and proceedings, civil or criminal pending in the Federal Court at the commoncement of this Constitution shall stand removed to the Supreme Court, and the Supreme Eccut chall have jurisdiction to hear and determine the same, and the judgments and orders of the Tederal Court delivered or made before the commencement of this Constitulien shall have the same force and effect as if they had been delivered or made by the Supreme Court. (3) Nothing in this Constitution shall operate to invalidate the exercise junidiction by This Majorty in Council to dispose of appeals and politions from, or in respect of, any judgment, decree or order of any court within the territory of India in so far as the exercise of such jurisdiction is authorised by law, and any order of His Majorty in Council made on any such appeal or petition after the commencement of this Constitution shall for all purpose have effect as if it were an order or decree made by the Supreme Court in the exercise of the jurisdiction conferred on such Court by this Constitution on On and from the commencement of this Constitution the journalities of the authority functioning as the Privy Council in a State especified in Part. B of the First Schedule to entertain and dispose of appeals and politions from or in respect of any judgment, decree or order of any west within that State shall cease, and all appeals and other proceedings pending before the said authority at ouch commencement shall be transferred to, and disposed of by, the Supreme Court (5) Turther provision may be made by Parliament by law to give effect to the provisions of this article. 375. All counts of civil, criminal and revenue jurisdiction, all authorities Fourts, outher ties and and all officer, judicial, executive and ministerial, throughout the territory of India. shall continue to exercise their respective functions subject to the provisions of this Constitution. 376. (1) Notwithstanding anything in clawe (2) of which 217, the Judges of a High Court in any Province holding office immediately before the commencement of this Constitution shall, unless they have elected athenoise, become on such commencement the Judges of the High Eccal in the carresponding State and

shall thoseupon be entitled to such salaries and allowance and to such rights in respect of leave of absence and persion as are provided for under article 221 in respect of the Judges of such High Court. 125 The Judger of a High Court in any Indian State corresponding to any State specified in Sort B of the Tixt Schedule holding office immediately before the commencement of this Constitution shall, unless they have elected otherwise, become on such commoncement the Judges of the High Court in the State so specified and shall, newitholonding anything in clause on and see of article 217 but subject to the previou to clause (1) of that article, continue to held office until the expiration of such period as the President may by order determine (3) In this article, the expression "Judge" does not include an acting Judge or an additional Judge 377. The Auditor-General of India holding office immediately before the commencement of this Constitution shall, unless he has elected otherwise, become on such commencement the completeller and Suditor General of India and shall thereupon be entitled to such salaries and to such rights in respect of searce of alcence and persion as are previded for under clawe (3) of article 148 in respect of the Completeller and Sudder-General of India and be enlitted to entime to hold office until the expiration of his term of office as determined under the provisions which were applicable to him immediately before such communicament. 378. (1) The members of the Public Service Commission for the Dominion Pavoiens as le Pablic Service of India holding office immediately before the commoncement of this Constitution shall, unless they have elected otherwise, become on such commoncement the members of the Public Service Commission for the Union and shall, notwithstanding anything in clauses (1) and (2) of article 316 but subject to the previou to clause (2) of that article, continue to held office until the expiration of their term of office as determined under the rules which were applicable immediately before such com mencement to such members. (2) The members of a Public Service Commission of a Drevince or of a Tablic Service Commission versing the needs of a group of Invince helding affice immediately before the commencement of this Constitution shall, under they have elected otherwise, become on such communicament the members of the Public Service Commission for thexorresponding State or the members of the Joint State Public Service Commission serving the needs of the corresponding States, as the case

Proxisions as to proxisonal Pastisment and the Speaker and Deputy Speaker thereof. may be, and shall, notwithstanding anything in clauses (1) and (2) of exticle 316 levt subject to the provise to clause (2) of that article, continue to hold office until the expiration of their term of affice as determined under the rules which were applicable immediately before such commoncoment to such members.

37.9. (1) Until both Ibours of Parliament have been cluby constituted and our mened to meet for the first service under the provisions of this Econstitution, the body functioning as the Econstituent Assembly of the Dominion of India immediately before the commencement of this Constitution shall be the provisional Parliament and shall exercise all the powers and perform all the dutio conferred by the provisions of this Econstitution on Parliament.

<u>Explanation</u> — For the purpose of this clause, the Constituent Assembly of the Daninier of India includes —

(is the members charm to represent any State or other levilory for which representation is provided under clause (2),

(ii) the members chosen to fill casual vacancies in the said Amendus.

(2) The President may by rules provide for-

w the representation in the provinceal Itealiancest functioning under clause (1) of any Itale or other sensiting which was not represented in the Genetitient Aventhy of the Dominion of India immediately before the commencement of this Constitution,

to the manner in which the representatives of such State or other territories in the provisional Parliament shall be sheern,

(c) the qualifications to be proversed by such representatives.

(33. If a member of the Constituent I wouldy of the Diminion of India was, on the sixth day of October, 1943, or thereafter at any time before the commencement of this Constitution, a member of a Ibrouse of the Legislature of a Severnor's Province or of an Indian State corresponding to any State operated in Part I B if the Pixet Schedule or a Minister for any such State, then, as from the commencement of this Constitution the react of such momber in the Constituent I wently shall, unless he has ceased to be a member

of that Assembly earlier, become vacant and every ouch vacancy shall be deemed to be a casual vacancy.

(n) Solicitestanding that any such vacancy in the Transluent Scendy of the Deminion of India as is mentioned in clause (3) has not occarred under that clause, stops may be taken before the commencement of the Constitution for the filling of such vacancy, but any power shown tefore such commencement to fill the vacancy shall not be entitled to take his real in the said Swenthy until after the vacancy shall not be entitled to take his real in the said Swenthy until

(5) Iny percen helding office immediately before the commencement of this Constituent Assembly when functioning as the Deminion Segulatine under the General ef India Act, 1925, shall on such commencement be the Speaker or as the case may be, the Deputy Speaker of the presisional Stationard functioning under classe 0).

380.0) Such person as the Constituent Assembly of the Deminion of India shall have elected in that behalf shall be the Prevident of India suntil a President has been elected in accordance with the provision contained in Chapter 1 of Suct V and has entered when his effice.

(2). In the event of the occurrence of any nations in the office of the Decident so elected by the Contituent Avenity of the Deminion of India by reason of his death, resignation, or removal, or otherwise, it shall be filled by a person elected in that behalf by the previously Plantiament Junctioning under article 313, and until a person is so elected, the Chief finite of India shall act as Invident.

38! Such persons as the Provident may appoint in that behalf chall become members of the Econcil of Ministers of the Provident under this benefitation, and, until appointments are so made, all persons helding effice as Alinisters for the Dominion of India immediately before the commencement of this browstation shall on such commencement become, and shall continue to hold office as, members of the Provident under this browstation.

382. () Until the Ibraise or Ibraise of the Lagistatine of each State specified in Part A of the Pirit Schedule has or have been duly constituted and summoned to meet for the first sersion under the provisions of this Constitution, the Ibraise or Ibraise John Legislature of the secretaring Province functioning immediately before the commoncoment of this Constitution shall exercise the power and perform the dulies confirmed by the provisions of this Constitution on the Ibraise or Ibraise of

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Council of Minister

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the Legislature of such State.

(2) Schrikvlanding anything in clause (1) where a general election to recorditate the Legislative Assembly of a Province has been ordered before the commoncoment of this benefitation, the election may be completed after such commencement as if the Constitution had not come into operation, and the Assembly so reconstituted shall be deemed to be the Segislative Assembly of that Townice for the purpose of that clause.

(3) Any person helding effice immediately before the commencement of this Constitution as Speaker or Deputy Speaker of the Legislative Asembly or President or Deputy President of the Segislative Council of a Invince shall on such commone ment be the Speaker or Deputy Speaker of the Legislative Asembly or the Chairman or Deputy Praisman of the Segislative Council, as the case may be, if the corresponding State specified in Start A of the Sixt Schedule while such Asembly or Council functions under clave (0):

I would that when a general election has been endered for the reconstitution of the Egiptaline Assembly if a Invente before the commoncement of this Constitution and the first meeting of the Assembly as so reconstituted is hold after such commoncement, the provisions of this clause shall not apply and the Assembly as reconstituted shall elect too members of the Assembly to be respectively the Shooks and Deputy Speaker thereof.

and Expany greater water.

38.3. Any person halding effice as Geormer in any Invince immediately before
the commencement of this Constitution shall en such conseneuement be the Severner
of the corresponding Itale openified in Ital A of the Tiert Ichedule until a new
Severner has been appointed in accordance with the previous of Chapter II of Int VI
and has entered upon his office.

384. Such persons as the Governer of a State may appoint in that behalfshall become members of the Council of Ministers of the Governer under this Constitution, and, until appointments are so made, all persons helding effice as Ministers for the corresponding Prevince immediately before the commencement of this Constitution shall on such commencement become, and shall continue to hold office as, members of the Council of Ministers of the Governor of the State under this Constitution.

385. Until the House or House of the Segislatuse of a State specified in Sixt. B of the Fixet Schedule has or have been duly constituted and summened to meet for the fixet surien under the previous of this Censtitution, the leady or authority

Precision as to Learness of Presinces

Council of Minister of Governon

Provision as le provisional Segulo luces in Status in Pacel B of Che

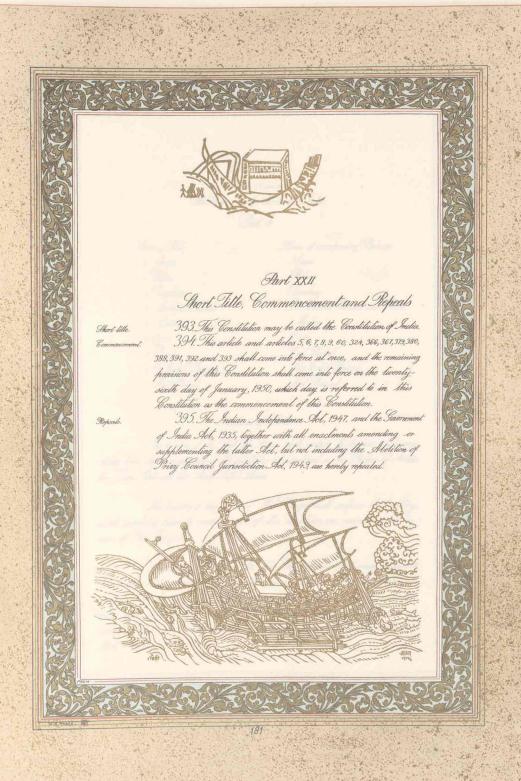
functioning immediately before the commencement of this Constitution as the Segislative of the corresponding Indian State shall exercise the powers and perform the dutio senformed by the pravious of this Constitution on the Deave or Thousa of the Segiolature of the State so specified. 386. Such persons as the Rajpramukh of a State specified in Suit B of the Tixet Schedule may appoint in that behalf chall become mombes of the Council of Ministers of such Ilajpramukh under this Constitution, and until appoint ments are so made, all persons holding office as Ministers for the corresponding Indian State immediately before the commoncement of this Constitution shall on such commencement become, and shall continue to hold office as, member of the Council of Ministers of such Rajpramukh under this Constitution 387. For the purpose of elections held under any of the provisions of this Constitution during a period of three years from the commencement of this Constitution, the population of India or of any purt thereof may not with etanding unything in this Constitution, be determined in such manner as the President may by order direct, and different previsions may be made for different States and for different purposer by such order. 388. (1) Casual vacancies in the seats of members of the previoual Italianset Provisions as to the plang of casical parametes in the presisional Parlia-ment and provi sional Legislatinas of the Glates. functioning under clause (1) of article 379, including vacancies referred to in clause (3) and (4) of that article, shall be filled, and all mallers in connection with the filling of such vacancies (including the decision of doubts and disputes arising out of, or in connection with; elections to fill such racancies) shall be regulated -(a) in accordance with such rules as may be made in that behalf by the President, and do until rules are so made, in accordance with the rules relating to the filling of casual vacancies in the Conviliuent Assembly of the Dominion of India and matter connected thorswith in force at the time of the filling of such vacancies or immedialely before the commencement of this Constitution, as the case may be, subject to such exceptions and modifications as may be made therein before such commencement by the Provident of that Assembly and thereafter by the Iraident of India: Invaded that where any such seat as is mentioned in this clause was,

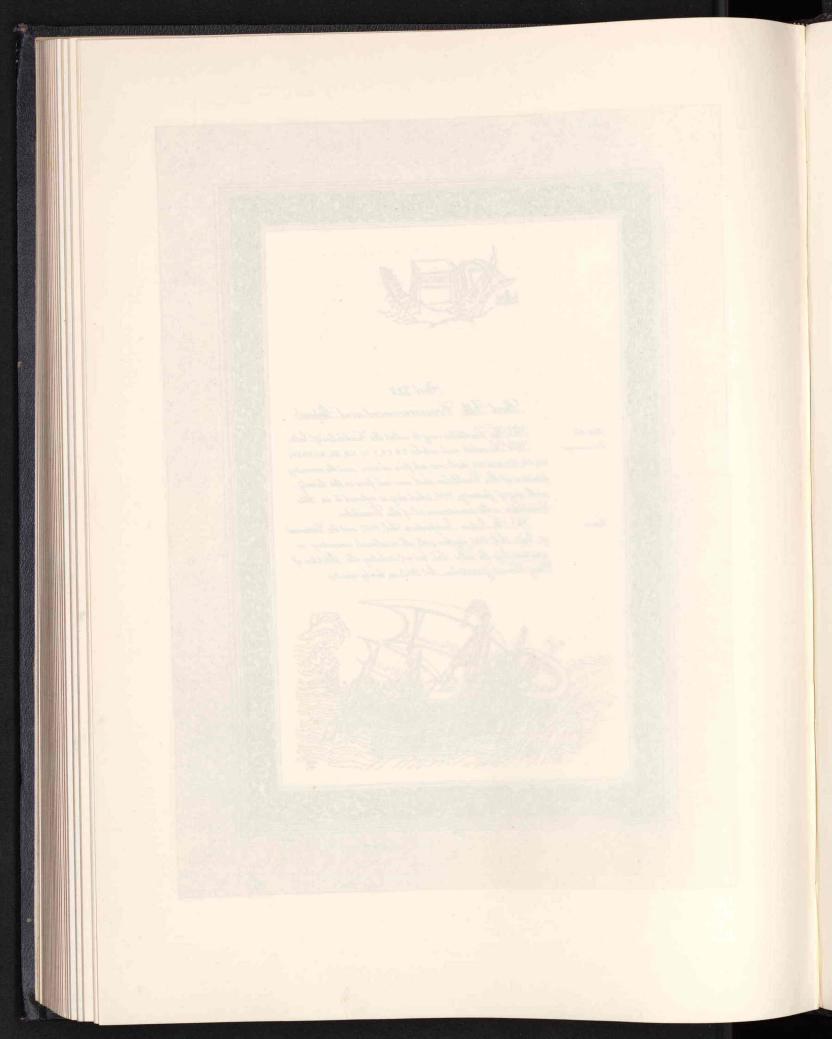
immediately before it became vacant, held by a person belonging to the Scheduled Casta or to the Mustim or the Sikh community and representing a Thorinco or, as the case may be, a State specified in Part I of the Sixt I chedule, the prosent of the Carot I chedule, the prosent of the Carotitional Secondary or the President of the Carotitional Secondary or the President dent of India, as the case may be, considers it necessary or expedient to provide otherwise, be of the same community Drovided further that at an election to fell any such recency in the seak of a member representing a Province or a State specified in Ital A of the First Schedule, every member of the Legislative Axembly of that Sovince or of the corresponding State or of that State, as the case may be, shall be entitled to participate and vote. Explanation . - For the purposes of this clause -(a) all such castes, nices or tribes or pasts of or groups within castes, naces or tribes as are especified in the Government of India (Scheduled Carles) Order, 1936, to be Scheduled Carles in relation to any Province shall be deemed to be Scheduled Carles in relation to that Therince or the corresponding State until a natification has been issued by the President under clause (t) of article 341 specifying the Scheduled Carlo in relation to that corresponding State; to all the Scheduled Earlie in any Province or State shall be deemed to be a single community (2) Casual vacancies in the seats of members of a House of the Segislature of a State functioning under article 382 or article 385 shall be filled, and all malters in connection with the filling of such vacancies (including the decision of doubts and disputes arising out of, or in connection with, elections to felt such vacancies) shall be regulated in accordance with such provision governing the filling of such vacancies and regulating such matter as were in force immediately before the commencement of this Constitution subject to such exceptions and modifications as the President may by order direct. 389. A Bill which immediately before the commoncement of this Constitution was fending in the Segistature of the Dominion of India or in the Segistature of any Province or Indian State may, subject to any provision to the continuty which may be included in rules made by Parliament or the Legislature of the corresponding

179 State under this Constitution, be continued in Tarliamont or the Segislature of the corresponding State, as the case maybe, wif the proceedings taken with reference to the Poilt in the Legislature of the Dominion of India or in the Legislature of the Province or Indian State had been taken in Parliament or in the Legislature of the corresponding State. 390. The functions of this Constitution relating to the Consolidated Fund of India or the Conclidated Fund of any State and the appropriation of moneys out of either of such Tunds shall not apply in relation to moneys received or raised or expenditure incurred by the Government of India or the Government of any State between the commoncement of this Constitution and the thirty-first day of March 1950, both days inclusive, and any expenditure insured during that period shall be deemed to be duly authorised if the expanditive was specified in a schedule of authorised exponditure authenticated in accordance with the previous of the Government of India Act, 1935, by the Governor General of the Dominion of India or the Governor of the corresponding Prevince or is authorised by the Playpramukh of the State in accordance with such rules as were applicable to the authorication of exponditure from the revenue of the corresponding Indian State immediately before such commons 391. (1) If at any time between the passing of this Constitution and its commence ment any action is taken under the previsions of the Government of India Set, 1335, which in the chimien of the President requires any amendment in the Surt Schedule and the Tourth Schedule, the President may, naturitistanding anything in this Constitution, by order, make such amondments in the said Schedules a maybe necessary to give effect to the action so taken, and any such order may contain such supplemental, incidental and consequential pravious as the Insident may deem necessary (2) When the First Schodule or the Tourth Schedule is so amended any reference to that Schedule in this Constitution shall be construed as a reference to 392.(1) The Tresident may, for the furthese of removing any difficulties, particularly in relation to the brancition from the provisions of the Government of India Act, 1935, to the provisions of this Constitution, by order direct that this Constitution shall, during such period as may be specified in the order, have effect subject to such adaptations, whether by way of modification, addition or omission, as he may deem to be necessary or expedient:

Dravided that no ouch order chall be made after the first meeting of Stationant duly condituded under Chapter 11 of Sart 4.

(co Every order made under claves (1) shall be laid before Instancent.
(3) The powers conferred on the Provident by this article, by article 324, by claws (3) of article 367 and by article 391 shall, before the commonwoment of this Constitution, be exercisable by the General of the Dominion of India.







Same of States	Names of corresponding Presinces
1. Assum	Avam
2 Bihar	Poihar .
3. Bombay	Bombay CO 100
4 Madhya Praderh	The Central Previnces and Beras
5. Madras	Madras
a Oriora	Oriva Q +00 . 1
r Dirijab 3 The United Previnces	East Punjab The United Previnces
	The united Invention West Bongal
9, West Bongal	men Mengal

Territories of States

The territory of the State of Assam shall comprise the territoric which immediately before the commencement of this Constitution were comprised in the Prevince of Assam, the Shase States and the Assam Irikal Areas.

The berilory of the State of West Bengal shall comprise the berritery. which immediately before the commencement of This Constitution was comprised in the Pravince of West Bengal.

The herritory of each of the other Shates in this Pool shall comprise the territories which immediately before the commencement of this Constitution were comprised in the corresponding Province and the territories which, by virtue of an earder made under section 290 I of the Government of India Act, 1935, were immediately before such commencement being administered as if they formed part of that Province.

Part B Sames of States

1. Hyderabad.

2. Jammu and Karhmir.

3. Madhya Bharat.

4. Mysore.

5. Patiala and East Punjal States Union.

6. Rajarthan.

r. Saurashtra.

8. Travancore-Cochin.

9. Vindhya Praderh.

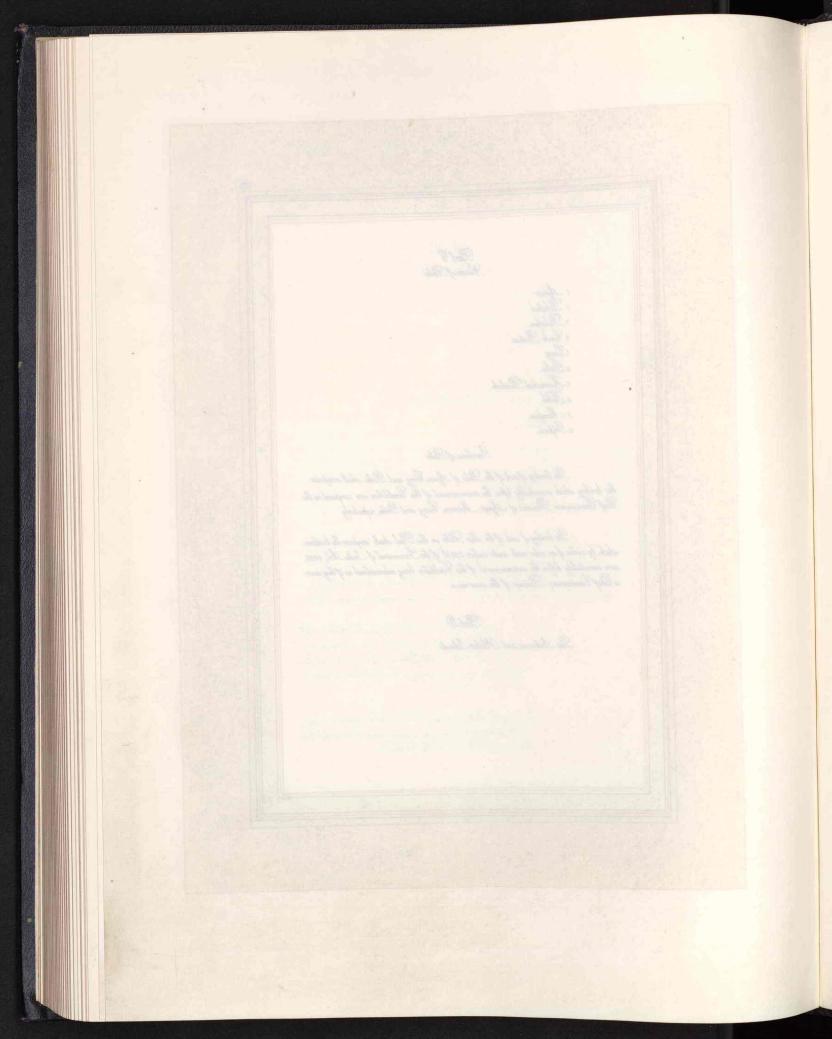
Territories of States

The territory of each of the State in this Start shall compise the territory which immedialog before the commoncomment of this Constitution was comprised in the corresponding Indian State, and-

(a) in the case of each of the States of Stajarthan and Savashtra, shall also comprise the tenstains which immediately before such commonwent were being administered by the Government of the corresponding Indian State, whether under the previous of the textra Invincal puristicion Act, 1947, or otherwise; and

(to in the zone of the State of Madhya Bhaval, shall abo comprise the locatory which immediately before each commoncoment was comprised in the Chief Commissioner's Invince of Santh Phylodia.

Part & Names of States 4. Cooch-Behar r. Himachal Praderh. r. Hulch. 9 Manifun 10. Inipura Territories of States The territory of each of the States of Sjoner, Georg and Debhi shall comprise The territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Provinces of Symer-Merwara, Cong and Debhi, respectively The territory of each of the other States in this Plant shall comprise the territories which, by wirtue of an enter made under section 290A of the Government of India Act, 1935, were immediately before the commencement of this Constitution being administered as if they were a Chief Commissioner's Province of the same name. Part D The Andaman and Nicobar Islands.



Second Schedule [Arlide 59(3), 65(3), 75(6), 91, 125, 149(3), 159 (3), 164(5),106 and 221]

Part A

Provisions as to the Provident and the Generalizer of States specified in Part A of the First Schedule

3 The Secient and the Governor of such State throughout their respective terms of effice shall be entitled to the same privileges to which the Governor General and the Governor of the corresponding Provinces were respectively entitled immediately before the commencement of this Constitution.

4. While the Vice-President or any other person is discharging the functions of, or is acting as, President, or any process is discharging the functions of the Severner, he shall be entitled to the same emclaments, alternative and privileges as the President or the Severner whee functions he discharges or for whem he acts, as the case may be

Part B

Previous as to the Minister for the Univer and for the States in Part A and Part B of the Scient Schadule

5. There shall be paid to the Prime Minister and to each of the other Ministers for the Union such salaries and allowances as were payable respectively to the Prime Minister and to each of the other Ministers for the Dominion of India immediately before the commence ment of this Constitution.

constitution. c There shall be paid to the Minister for any State specified in Pal Sec Part

B of the Tirol Schodule such salaries and alterrances as were payable to such Ministers for the corresponding Province or the corresponding Indian State, as the case may be, immediately before the commencement of this Constitution Part & Previoiono ao to the Speaker and the Deputy Speaker of the House of the Scople and the Chairman and the Deputy Chairman of the Council of States and the Speaker and the Defuty Speaker of the Segislative Avembly of a State in Part A of the First Schedule and the Chairman and the Deputy Chairman of the Legislative Council of any such State 1. There chall be paid to the Speaker of the House of the Peple and the Chair man of the Council of States such salaries and allowance as were payable to the Speaker of the Constituent Assembly of the Dominion of India immediately before the commencement of this Constitution, and there shall be paid to the Deputy Speaker of the Down of the Seeple and to the Deputy Chairman of the Council of States such salaries and allowances as were payable to the Deputy Speaker of the Constituent Assembly of the Dominion of India immediately before «There shall be paid to the Speaker and the Deputy Speaker of the Legislative Averably of a State operified in Part A of the First Schedule and to the Chairman and the Deputy Chairman of the Legislative Council of such State such salaries and allowance as were purvalle respectively to the Speaker and the Deputy Speaker of the Segiolative Assembly and the President and the Deputy President of the Segislative Ecuncil of the corresponding Presince immediately before the commencement of this Constitution and where the corresponding Prevince had no Legislative Econocil immediately before such commencement, there shall be paid to the Chair man and the Deputy Chairman of the Legislative Ecuncil of the State such ratains and allowance as the Governor of the State may determine Part D Invisions as to the Judges of the Supreme Eccul and of the High Eccurts in States in Part A if the Tord Schedule In The shall be paid to the Judges of the Supreme Court, in respect of time spent on actual service, salary at the following rates per mensem, that is to

The Chief Justice ... Any other Judge Drovided that if a Judge of the Supreme Court at the time of his appointment is in receipt of a pension (other than a disability or wound pension) in respect of any provious service under the Severnment of India or any of its predicever Governments or under the Severn if a State or any if its predecessor Governments, his salary in respect if service in the Supreme Court shall be reduced by the amount of that pension. (2) Every Judge of the Supreme Coul shall be enlitted without payment of cont to the use of an official residence (3) Nothing in sub-paragraph (2) of this paragraph shall apply to a Judge who, immediately before the commoncement of this Constitution, ras was helding office as the Chief Justice of the Tederal Court and has become on such commencement the Chief Justice of the Supreme Court under clause (1) of article 374, or (b) was holding office as any other Judge of the Tederal Court and has on such commencement become a Judge (other than the Chief Justice) of the Supreme Court under the said clause, during the period he holds office as such Thief Justice or other Judge, and every Judge who so became the Chief Justice or other Judge of the Supreme Court shall, in respect of time spont on actual service as such Chief Justice or other Judge, as the case may be, be entitled to receive in addition to the salary specified in out-paragraph (1) of this paragraph as special pay an amount equivalent to the difference between the salary so specified and the salary which he was drawing immediately before such commencement (4) Every Judge of the Supreme Securt shall receive such rasenable a Heuranees to reimburse him for expenses incurred in bravelling on duty within the benitary of India and shall be affended such reasonable facilities in connection with travelling as the Phesident may from time to time prescribe. (5) The rights in respect of leave of absence (including leave allowances) and pension of the Judge of the Supreme Court shall be governed by the previsions which immediately before the commoncement of this Constitution, were applicable to the Judges of the Tederal 10. (1) There shall be paid to the Judges of the High Court of each State specified in Part A of the First Schedule, in respect of time opent on actual service,

(2) Every person who immediately before the commencement of this Constitution-(a) was helding office as the Chief Jurice of a High Court in any Orwince and has on such commoncement become the Chief Justice of the Skigh Ecust in the corresponding State under clause (1) of article 376, or (b) was holding office as any other Judge of a Frigh Court in any Prevince and has on such commoncoment become a Judge (other than the Chief Justice) of the Fligh Eourt in the corresponding State under the said clause. shall, if he was immediately before such commencement drawing a salary at a rate higher than that specified in sub-paragraph (1) of this paragraph, be entitled to receive in respect of time sport on actual service as such Chief Justice or other Judge, as the case may be, in addition to the salary specified in the said sub-paragraph as special pay an amount equivalent to the difference between the salary so specified and the salary which he was drawing immediately before such commencemen (3) Every Judge of a Ibigh Court shall receive such reasonable allowances to reimburse him for exposes incurred in bravelling on duly within the berilon of India and shall be afforded such reasonable facilities in xonnection with bravelling as the Incident may from time 南 to lime prescribe. (4) The rights in respect of beave of absence (including beave allowances) and possion of the Judge of the Beigh Ecust of any State shall be governed by the provisions which, immedialely before the commencement of this Constitution, were applicable to the Judge of the Eligh Court in the corresponding Province. 11. In this Part, unless the context otherwise requires,-(a) the expression "Chief Justice" includes an acting Chief Justice, and a "Judge" includes an ad hoc Judge; (b) actual service "includes -(i) time spent by a Judge on duty as a Judge or in the performance QT. of such other functions as he may at the request of the President undertake to discharge; (ir) vacations, excluding any time during which the Judge is

abent on leave; and (iii) joining lime on bransfer from a Digh Court to the Suprome Gourt or from one Digh Court to another. Part & Travisions as to the Comptroller and Auditor General of India 12.00. There shall be paid to the Comptroller and Auditor General of India a salary at the rate of four thousand rupees per mensem (2) The person who was helding effice immediately before the commencement of this Constitution as Auditor General of India and has become on such commonwoment the Comptret ter and Auditor General of India under article 371 shall in addition to the salary specified in sub-paragraph (1) of this paragraph be entitled to receive as special pay an amount equive Next to the difference between the salary so specified and the salary which he was drawing as Inditor General of India immediately before such commencement. (3) The rights in respect of leave of absence and pension and the other condition of service of the Comptreller and Auditer General of India shall be governed or shall continue to be governed, as the case maybe by the previsions which were applicable to the Auditor-Sonoral of India immediately before the commencement of this Constitution and all references in these provisions to the Generical Second Shall be construed as references to the Provident.

Third Schedule [Articles 7544, 33, 124(6), 48(2), 164(3), 188 and 213] Terms of Oathoer Afformations

I

Torm of eath of effice for a Menister for the Union.—
"J. A. B. do _societ in the name of God that I will been five faith and allogiance to the Constitution of India as by law established, that I will faithfully and anscimbiously
discharge my duties as a Minister for the Union and that I will do right to all manner of
people in accordance with the Constitution and the law, without few or favour, affection or
illuvill."

11

Form of oath of secrecy for a Minister for the Union:—
"J. A. B., do <u>survey</u> in the name of God that I will not directly or indirectly examinated to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister for the Union except as may be required for the due discharge of my dution as such Minister."

111

Term of eath or afformation to be made by a member of Partiament:—
"I. A.B., having been elected (or nominated) a member of the Council of
States (or the Showe of the People) do <u>swear in the name of God</u> that I will bear true faith
and allegiance to the Constitution of India as by law established and that I will faithfully dischage
the duly upon which I am about to enter."

TV

Term of eath or affirmation to be made by the Judge of the Supreme Court and the Complrotler and Sudder-General of India:-"I, S. B., having been appointed Chief Justice (or a Judge) of the Supreme

Court of India (or Comptreller and Auditor-General of India) de swear in the name of God
solomony afform
that I will bear true faith and allegiance to the Econtitution of India as bytem established, that I
will duty and faithfully and to the best of my ability, knowledge and judgment perform the
duties of my office without fear or favour, affection or idwill and that I will uphold the
Constitution and the laws."

V

From ef eath of effice for a Minister for a State:—
"I.S.B., do succer in the name of God that I will bear fine faith a net construction of I will faithfully and conscientiously discharge my duties as a Minister fer the Glate of most faithfully and knot I will do night to all manner of people in accordance with the Constitution and the law, without four or favour, affection or illuvil!."

V

Term of eath of socrecy for a Minister for a State—
If S.B., do success in the name of Scal that I will not directly or individity afternation or reveal to any possens or possens any matter which shall be brought under my saniderablen or shall become known to me as a Minister for the Gate of except as may be required for the due discharge of my duties as such Minister."

V

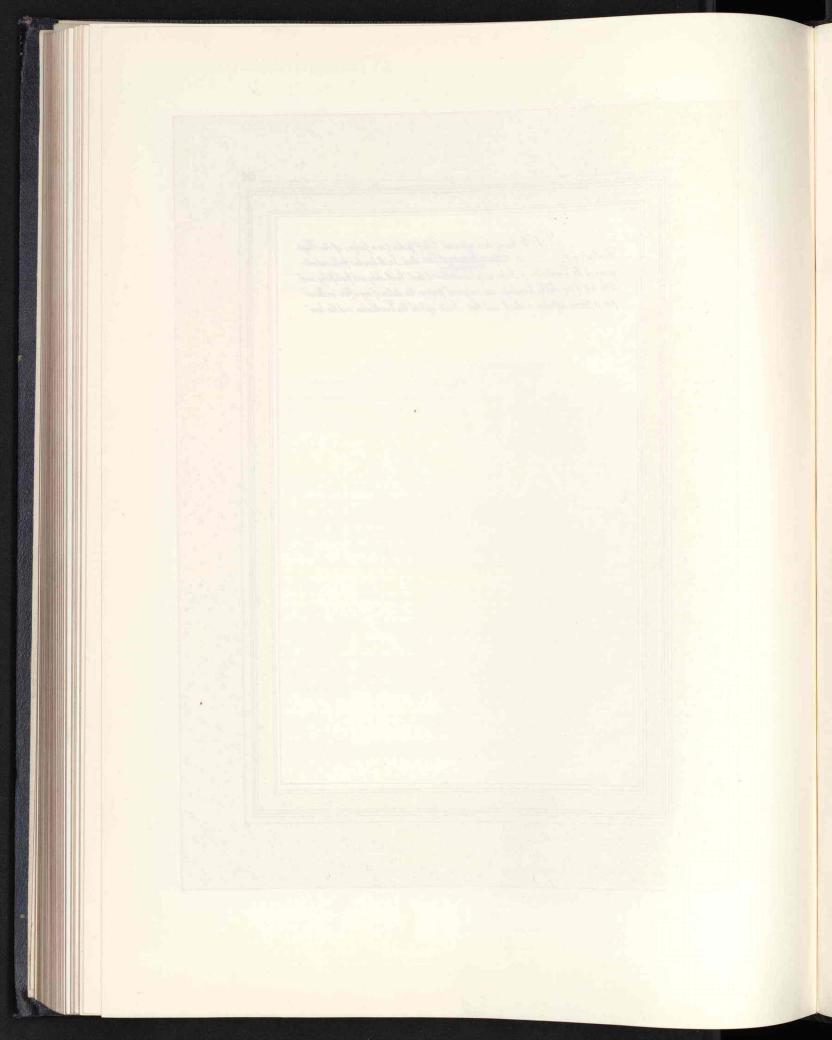
Firm of outh or affirmation to be made by a member of the Sigislature of a

State :-

J.A.B., having been elected (or nominated) a member of the Legislative Assembly (or Legislative Council), de <u>sources in the name of God</u> that I will been true faith and attegiance to the Constitution of India as by law ertablished and that I will faithfully discharge the day upon which I am about to enter."

VIII

Form of eath or affirmation to be made by the Judge of a Frigh Ecol:-



Tourth Schedule [Articles 4(1), 80(2) and 391]

Allocation of seats in the Council of States

To each State or group of State specified in the first edumn of the lable of seats appended to this Schedule then shall be allelted the number of seats specified in the second edumn of the said table specifie to that State or group of States, as the case may be.

Table of Seats

The Council of States Plepresentatives of States specified in Part Act the First Schedule

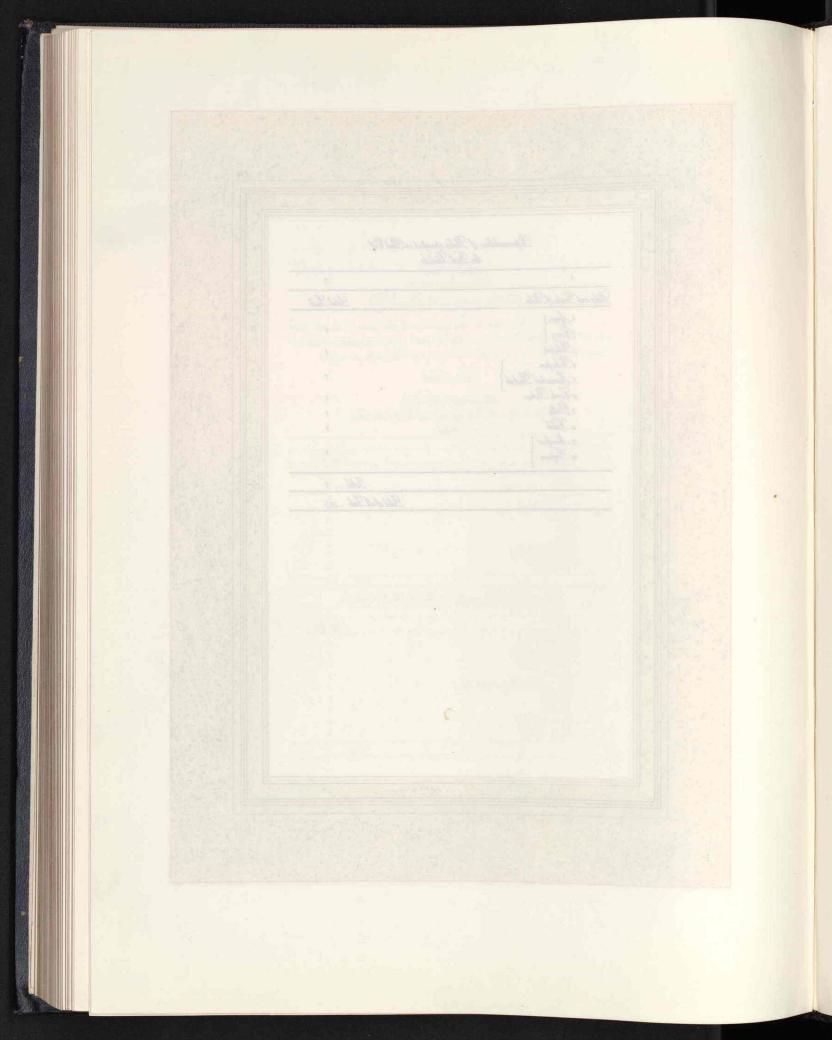
1	2
States	Total Seats
1. Assam	6
2. Bihar	21
3. Thombay	17 × 17
z Termin 3 Bennbay 4 Madhiya Phadoh	12
5. Madras	27
o. Orima	9
r Punjab o The United Provinces	8
8. The United Provinces	31
9. West Rongal	14
	Total 145

Representatives of States specified in Part B of the First Schedule

	2
States	Total Seats
1. He zuteralead 2. January and Karleniv 3. Madhya Bhavart	#
2. Jammu and Kashmir	4
3. Madhya Bharat	6
h Museum	6
5. Palinla and East Dunjab States Union 6. Pajasthan	3
6. Rajarthan	9
7. Saunwhlna	4
9. Irananowe-Eochin 3. Jindhya Praelesh	6
9. Findhya Pradesh	4

TANK.

Representatives of States specified in Part & of the First Schedule 1 7. Delhi 8. Kutch 9. Manipur 10. Tripura Total of all Seats ... 205



Pifth Schedule (Article 24(1)) Previsions as to the Administration and Control of Scheduled Areas and Scheduled Inher Part A General

1. Interpretation—In this Schedule, unless the context otherwise requires, the expression State means a State specified in Sast A or Sant B of the First Schedule but does not include the State of Assam.

2. Executive power of a State in Scheduled Areas.—Subject to the previsions of this Schedule, the executive power of a State extends to the Scheduled Areas therein.

3. Neport by the Generic or Raypramukh to the President regarding the administration of Scheduled Areas.— The Generic or Raybranuck of each State having Scheduled Areas therein shall annually, or whenever so required by the President, make a report to the President regarding the administration of the Scheduled Areas in that Gate and the executive power of the Union shall extend to the giving of directions to the State as to the administration of the State as to the

Lavt 98 Administration and Ecolopet of Schaduled Area and Schaduled Triber

n Pribes Advisory Council:-(1) There shall be established in each State having Scheduled Areas therein and, if the Insident so directs, also in any State having Scheduled Interbut and Scheduled Areas therein, a Inter-Advisory Toauncil consoling of not more than twenty members of whom, as nearly as may be, three-fourths shall be the representatives of Three Scheduled Inter in the Seguitative Assembly of the State:

Dravided that if the number of representatives of the Scheduled Tribes in the Legislative Iscently of the State is less than the number of sents in the Tribes Advisory. Resuncit to be fitted by such representatives, the remaining seats shall be filled by other members of these bribes.

(2) It shall be the duly of the Triber Advisory Council to advise on such

196

matters pertoining to the welfare and advancement of the Scheduled Trikes in the State as may be referred to them by the Severnor or Pajpramukh , as the case may be.

(3) The Severner or Rajpramukh may make rules prescribing or regulating,

as the case may be,—

(a) the number of members of the Cauncil, the mode of thin appointment and the appointment of the Chairman of the Cauncil and of the officers and servants thereof;

(b) the conduct of its meetings and its procedure in general; and (c) all other incidental matters.

5. Saw applicable to Scheduled Sreas—(1) Solvitholanding anything in this Constitution, the Swemer or Playhomuck, or the case may be, may by public notification direct that any particular Sect of Parliament or of the Legislature of the State shall not apply to a Scheduled Area or Scheduled Area or any part theoret in the State or shall apply to a Scheduled Area or any part thereof in the State subject to ouch exceptions and medifications on he may specify in the notification and any direction given under this sub-paragraph may be given so as to have retraspective effect.

(2) The Severnor or Pajpranukh, as the cave may be, may make regulation for the peace and good government of any area in a State which is for the lime being a Scheduled Area

In particular and without prejudice to the generality of the foregoing power, such regulations may —

(a) prohibit or restrict the bransfer of land by or among mombos of the Scheduled Tribes in such area;

(s) regulate the allebment of land to members of the Scheduled Tribes in such area;

ces regulate the earrying on of business as money lender by persons

who hend money to member of the Scheduled Tribe in such

area.

(3) In making any such regulation as is referred to in sub haragraph (e) sof this paragraph, the Governor or Nappramukh may repeal or amend any Act of Pantia ment or of the Tegislature of the State or any existing law which is for the Time being applicable to the area in question.

(4) All regulations made under this paragraph shall be submitted forthwith to the President and, until assented to by him, shall have no effect.

(5) No regulation shall be made under this paragraph unless the Governor or the Pajpromukh making the regulation has, in the case where there is a Inko Advisory Council for the State, consulted such Council. Part & Scheduled Areas 6. Scheduled Areas.—(1) In this Constitution , the expression "Scheduled Areas" means such areas as the Bresident may by order declare to be Scheduled Areas. (2) The President may at any time by order -(as direct that the whole or any specified part of a Scheduled Area shall ceare to be a Scheduled Area or a part of such an area; to alter, but only by way of rectification of boundaries, any Scheduled (is on any alteration of the boundaries of a State or on the admission into The Union or the extatrishment of a new State, declare any tentary not provincely included in any State to be, or to form part of, a Scheduled Area; and any such order may contain such incidental and consequential provisions as appear to the President to be necessary and proper, but save as aforesaid, the order made under subparagraph (1) of this paragraph shall not be varied by any subsequent order. Part D Amendment of the Schedule 7. Amendment of the Schedule.—(1) Parliament may from time to time by law amend by way of addition, variation or repeal any of the provisions of this Schedule and, when the Schedule is so amended, only reference to this Schedule in this Ecculitation shall be constructed as a reference to such Schedule as so amended. (2) No ouch law as is mentioned in out-paragraph (1) of this paragraph shall be deemed to be an amendment of this Constitution for the purpose of article 368.

Sixth Schedule (Articles 244(2) and 2750) Provisions as to the Administration of Tribal Areas in Assam

1. Autonomous districts and autonomous regions.—(1) Subject to the provisions of this paragraph, the tribal areas in each item of Part A of the table appended to paragraph 20 of this Schedule shall be an autonomous district.

(2) If there are different Scheduled Tribes in an autonomous district, the Governor may, by public netification, divide the area or areas inhabited by them into autonomous regions

(3) The Governor may, by public notification,-(as include any area in Part A of the said table, (b) exclude any area from Part A of the said table, (c) create a new autonomous district, ed, increase the area of any autonomous district, (e) diminish the area if any autonomous district, (f) unite live or more autonomous districts or parts thereof so as to form one autonomous district.

(g) define the boundaries of any autonomous district: Dravided that no order shall be made by the Governor under clause (c), (d), (e) and (f) of this out-haragraph except after consideration of the report of a Commission appointed

under sub-paragraph (1) of paragraph 14 of this Schedule. 2 Constitution of District Councils and Plegional Councils.—(1) There shall

be a District Council for each autonomous district consisting of not more than Iwenty-four members, of whom not less than three-fourthe shall be elected on the basic of adult suffrage. (2) There shall be a separate Regional Council for each area constituted an

autonenous region under sub-horagraph (2) of havagraph 1 of thio Schedule. (3) Each District Council and each Prezional Ecuncil shall be abody corporate by the name respectively of the District Council of (name of district) and "the Regional Council of (name of region)", shall have perpetual succession and a common seal and shall by the said name sue and be sued.

(1) Subject to the provisions of this Schedule, the administration of an autonomous

district shall, in so few as it is not verted under this Schedule in any Negional Council within such district, be verted in the District Council for such district and the administration of an autonomous region shall be verted in the Negional Council for such region.

5 In an autonomous district with Ilogical Councils, the District Council shall have only such powers with respect to the areas under the authority of the Ibegianal Ecuncil as may be delegated to it by the Ilegianal Council in addition to the powers conferred on it by this Ichebule with respect to such areas.

(c) The Governer shall make rules for the first constitution of District Ecuncils and Degional Councils in consultation with the existing brital Ecuncils or other representative brital organisations within the autonomous districts or regions concerned, and such rules shall provide for—

(a) the composition of the District Councils and Agricular Councils and the allocation of seats therein;

(b) the delimitation of territorial constituencies for the purpose of elections to those bouncits;

(c) the qualification for voting at such elections and the preparation of electoral rolls therefor;

(d) the qualification for being elected at ouch elections as members of such Ecuncils;

(e) the term of office of members of such Councils;

(f) any other matter relating to or connected with elections or nominations to such Councils;

(g) the procedure and the conduct of business in the District and Degional Councils;

(h) the appointment of officers and starff of the District and Regional Councils

(1) The District or the Pregional Council may after its first constitution make rules with regard to the matter specified in sub-frangraph © of this paragraph and may also make rules regulating—

(a) the formation of subordinale local Councils or Boards and Meir procedure and the conduct of their busines; and

(b) generally all matters relating to the transaction of business pertaining to the administration of the district or region, as the case may be:

Provided that until rules are made by the District or the Regional Council

under this sub-paragraph the rules made by the Governor under sub-paragraph (6) of this paragraph shall have effect in respect of elections to, the officers and staff of, and the procedure and the conduct of business in, each such Council Provided further that the Deputy Commissioner or the Sub Divisional Officer, as the case may be, of the North Eachar and Mikir Wills shall be the Chairman exoffices of the District Council in respect of the territories included in items 5 and 6 respectively of Part A of the table appended to paragraph 20 of this Schedule and shall have power for a period of six years after the first constitution of the District Council, subject to the control of the Governor, to annul or modify any revolution or docision of the District Council or to issue such instructions to the District Ecuncil, as he may consider appropriate, and the District Council shall comply with every such instruction issued. 3. Powers of the District Councils and Regional Councils to make law-(1) The Plegional Council for an autonomous region in respect of all areas within such region and the District Council for an autonomow district in respect of all areas within the district except those which are under the authority of Pregional Councils, if any, within the district shall have power to make laws with respect to-(a) the allotment, occupation or use, or the selling apart, of land, other Than any land which is a reserved forest, for the purpose of agriculture or grazing or for residential or other non-agricultual purposes or for any other purpose likely to promote the interests of the inhabitants of any village or town: Drovided that nothing in such law shall prevent the compulsory acquisition of any land, whether ecupied or unocupied for public purpose by the Government of Assum in accordance with the law for the time being in force authorising such (b) the management of any forest not being a reserved forest; (c) the use of any canal or water-course for the purpose of agriculture; (d) the regulation of the practice of jhun or other forms of shifting (e) the establishment of village or town committees or councils and thoir (f) any other matter relating to village or town administration, including village or lown police and public health and sanitation;

(g) the appointment or succession of Chiefs or Head-men; (h) the inheritance of property; (1) social customs. (2) In this paragraph, a reserved forest means any area which is a reserved forest under the Isram Forest Regulation, 1831, or under any other law for the time being in force in the area in question (3) All low made under this paragraph shall be submitted forthwith to the Governor and, until assented to by him, shall have no effect. 4. Administration of justice in autonomous districts and autonomous regionsal Council for an autonomous region in respect of arcus within such region and the District Council for an autonomous district in respect of areas within the district other than those which are under the authority of the Regional Ecuncils, if any within the district may constitute village councils or courts for the trial of suits and cases between the parties all of whom belong to Scheduled Tribes within such areas, other than suits and cases to which the provision of sub-paragraph (1) of paragraph 5 of this Schedule apply, to the exclusion of any count in the State, and may appoint suitable persons to be members of such village Councils or presiding officers of such courts, and may also appoint such officers as may be necessary for the administration of the law made under paragrap 3 of this Schedule. (2) Notwitholanding amplifying in this Constitution, the Negional Council for an autonomous region or any court constituted in that behalf by the Regional Council or, if in respect of any ana within an autonomous district there is no Degional Council, the District Council for such district, or any count constituted in that behalf by the District Council, shall exercise the powers of a court of appeal in respect of all suits and cases triable by a village council or court constituted under sub-frangenth (1) of this paragraph within such region or area, as the case may be, other than there to which the provisions of out-haragraph (1) of paragraph 5 of this Schedule apply, and no other court except the Thigh Court and the Supreme Court shall (3) The Eligh Ecurl of Assam shall have and exercise such jurisdiction over the suits and cases to which the provisions of out paragraph (2) of this paragraph apply as the Governor may from time to time by order specify. (4) A Degicual Ecunist or Dichiet Ecuncil, w the case may be, may with the previous approval if the Governor make rules regulating-(a) the constitution of village councils and courts and the power tole

exercised by them under this paragraph; (b) the procedure to be followed by village councils or counts in the trial of suits and cases under sub-paragraph (1) of this paragraph; (c) the procedure to be followed by the Regional or District Council or any court constituted by such Ecuncil in appeals and other proceedings undersub. paragraph (2) of this paragraph;

of decisions and orders of such Councils and courts; (e) all other ancillary matters for the carrying out of the provisions of sub-

5. Conferment of powers under the Eode of Livil Procedure, 1908, and the Code of Criminal Procedure, 1898, on the Regional and District Councils and on certain courts and officers for the trial of certain suits, cases and offences - (1) The Gorma may, for the trial of suits or cases arising out of any law in force in any autonomous district or region being a law specified in that behalf by the Governor, or for the trial of effences punishable with death, transportation for life, or imprisonment for a term of not less than five years under the Indian Penal Code or under any other law for the time being applicable to such district or region, sonfer on the District Souncil or the Regional Council having authority over such district or region or on courts constituted by such District Council or on any officer appointed in that behalf by the Governor, such power under the Code of Civil Incoduce, 1908, or, as the eax may be, the Tede of Eriminal Procedure, 1838, as he downs appropriate, and thereupon the said Council, road or efficer shall bry the suits, cross or effences in exercise of the power so

(e) The Governor may withdraw or modify any of the powers conferred on a District Ecuncil, Plagional Councils court or officer under sub-paragraph w. of this paragraph. (3) Save as expressly provided in this paragraph, the Code of Civil Pro-exdure, 1908, and the Code of Criminal Procedure, 1838, shall not apply to the trial of any ouilo, cases or offences in an autonomous district or in any autonomous region to which the passisions

of this paragraph apply. c. News of the District Ecuncil to establish firimany schools, etc. — The District Council for an autonomous district may establish, construct, or manage primary schools, dispensaries, markets, callle pounds, ferries, fishenes, roads and waterways in the district and, in particular, may prescribe the language and the manner in which primary education shall be imparted in the primary schools in the district. 7. District and Regional Sunds-(v.There shall be constituted for each autonomous

district, a District Twend and for each autonomous region, a Degicnal Twend to which shall be credited all enemys received respectively by the District Ecuncil for that district and the Deginal Ecunal for that region in the course of the administration of such district or region, as the case may be, in accordance with the provisions of this Econolitation.

(a) Subject to the approval of the Governor, rules may be made by the District Council and by the Regional Council for the management of the District Tund et, as the case may be, the Regional Tund, and the rules so made may prescribe the procedure lete followed in respect of payment of meney into the said Tund, the withdrawal of meneys therefrom, the custody of meneys therein and any other matter connected with or ancitary to the matter aforesaid.

8. Items to assess and echtect land revinue and to impose taxes.—(1)
The Pegional Ecurcil for an autonomous region in respect of all lands within such region
and the District Econoil for an autonomous district in respect of all lands within the district
except those which are in the areas under the authority of Regional Ecurcils, if any, within
the district, shall have the power to assess and collect revenue in respect of such lands in
accordance with the principles for the time being followed by the Government of Assam in
accordance for the purpose of land revenue in the State of Assam generally.

(2) The Plegional Council for an autonomous region in respect of an autonomous region and the District Council for an autonomous district in respect of all areas in the district except these which are under the authority of Plegional Councils, if any, within the district, shall have hower to lovy and collect taxes on lands and buildings, and tells on persons resident within such areas.

(3) The District Council for an autonomous district shall have the 'power to beey and collect all or any of the following taxes within ouch district, that is to say—

(a) laxes on professions, trades, callings and employments;

(b) laces on animals, vehicles and boats;

(c) tiexes on the entry of goods into a market for sale therein, and totls on passengers and goods carried in Ferries; and

(d) taxes for the maintenance of schools, dispensaries or reads

(4) I Negional Council or District Council, as the case may be, may make regulations to pervide for the levy and collection of any of the laxer specified in sub-paragraphs (2) and (3) of this paragraph.

3 Giornico er leases for the purpose of prospecting for er extraction of numerals or Such chare if the regultic accoung each year from Licences or leaves for the purpos of prospecting for,

or the extraction of, minerals granted by the Government of Assam in respect of any area within an autonomous district as may be agreed upon between the Government of Assam and the District Council of such district shall be made over to that District Council. (2) If any dispute arises as to the share of such royalties to be made over to a District Council, it shall be referred to the Governor for determination and the amount eletermined by the Governor in his discretion shall be deemed to be the amount payable under out paragraph (1) if this paragraph to the District Council and the decision of the Severner shall be final. io Down of District Council to make regulations for the control of money-lending and trading by non-tribals—(1) The District Council of an autonomous district may make regulations for the regulation and control of money landing or trading within the district by persons other than Scheduled Tribes resident in the district. (2) In faulicular and without prejudice to the generality of the foregoing power. such regulation may (as prescribe that no one except the holder of a licence issued in that behalf shall carry on the business of money lending; (b) prescribe the maximum rate of interest which may be changed or be recovered by a money-lender; (c) provide for the maintenance of accounts by money londers and for the inspection of such accounts by officers appointed in that behalf by the District Council; (d) prescribe that no person who is not a member of the Scheduled Triber resident in the district shall carry on wholesale or retail business in any commodity except under a licence issued in that behalf by the District Council: passed by a majority of ned bes than three-fourths of the betal membership of the District Council: Provided that no regulations may be made under this paragraph unless they are Drovided further that it shall not be competent under any such regulations to refuse the grant of a licence to a money lender or a trader who has been carrying on business within the district since before the time of the making of such regulation . (3) All regulations made under this paragraph shall be submitted forthwith to the Governor and, until assented to by him, shall have no effect. n. Dublication of law, nules and regulations made under the Schedule. All have, rules and regulations made under this Schedule by a District Council or a Regional

Council shall be published ferthwith in the Official Gazotto of the State and shall on such publication have the force of law.

12. Application of Acts of Parliament and of the Legislature of the State to autonomous districts and autonomous regions.—4). Admittalanding anything in Itis Emplitution—

(as no Act of the Topisative of the State in respect of any of the matters specified in paragraph 3 of this Schedule as mallex with respect to which a District Vouncil or a Negional Towncil may make laws, and no Stot of the Tegislature of the State prohibiting or redricting the consumption of any new distilled alcoholic liquer shall apply to any autenomous district or autenomous major unless in either case the District Council for such district or having jurisdiction over such region by public notifications or district, and the District Towncil in giving such direction with respect to any Set may direct that the Stot shall in its application to such district or region or any part theory have effect subject to such exceptions or modifications as it thinks fit;

(b) the Generica may, by public notification, direct that any Act of India ment or of the Toystature of the State to which the provisions of extance (a) of this out-paragraph do not apply shall not apply to an autonomous vegion, or shall apply to such district or region or any past theoref subject to such exceptions or modifications as he may opecify in the notification.

(2) Any direction given under out paragraph (1) of this paragraph may be given so as to have notrospective effect.

13. Estimated receipts and expenditure pertaining to autonomous districts to be shown separately in the annual financial statement.—The estimated receipts and expenditive pertaining to an autonomous district which are to be credited to, or is to be made from the Ecosticulated Tund of the State of Assam shall be first placed before the District Econoil for discussion and then after such discussion be shown separately in the annual financial statement of the State to be laid before the Legislative of the State under article 202

14 Appointment of Commission to inquire into and report on the administration of autonomous districts and autonomous regions—(1). The Governor may at any time appoint a Commission to examine and report on any matter specified by him relating to the the same was to be the same of make a light by of head to the there

administration of the autonomous districts and autonomous regime in the Gate, including matters specified in clauses (c), (d), (e) and (f) of sub-paragraph (3) of paragraph 1 of the Schedule, or may appoint a Commission to inquire into and report from line to line on the administration of autonomow districts and autonomow regions in the State generally and in particular en (a) The provision of educational and medical facilities and communications in such districts and regions; (b) the need for any new or special legislation in respect of such districts (c) the administration of the law, rules and regulations made by the District and Regional Councils; and define the procedure to be followed by such Commission. (2) The report of every such bommission with the recommendations of the Governor with respect thereto shall be laid before the Legislature of the State by the Minister concerned together with an explanatory memorandum regarding the action proposed to be taken thrown by the Government of Assam. (3) In allocating the business of the Government of the State amonghis Ministers the Governor may place one of his Ministers specially in charge of the welfare of the automorous 15. Annulment or surpension of acts and resolutions of District and Regional Ecuncils—a) If at any time the Genericor is satisfied that an act or resolution of a District or a Plagicual Council is likely to endanger the xafety of India, he may annul er suspend such act or resolution and take such steps as he may consider necessary (including the suspension of the Council and the assumption to himself of all or any of the power vested in or exercisable by the Council) to prevent the commission or continuance of such act, or the giving of effect to such resolution. (2). Iny order made by the Garoner under out-paragraph (1) of this paragraph logether with the reasons therefor shall be laid before the Legislature of the State as soon as possible and the order shall, unless revoked by the Segislature of the State, continue in force for a period of livelise mouths from the date on which it was so made: Provided that if and so often as a resolution approxing the continuance in force of such order is passed by the Segislature of the State, the order shall unless cancelled by the Governor continue in force for a further period of twelve months from the date on which under this paragraph it would otherwise have coased to operate. 16 Dissolution of a District or a Regional Ecuncil. - The Governor may on

The section of the se And the state of t

the recommendation of a Commission appointed under paragraph 14 of this Schedule by public notification order the dissolution of a District or a Regional Council and-(a) direct that a fresh general election shall be held immediately for the reconstitution of the Council, or (b) subject to the previous approval of the Segislature of the State assu the administration of the areas under the authority of such Council himself or place the administration of such area under the Commission appointed under the said paragraph or any other body considered suitable by him for a period not exceeding twelve months: Social that when an order under clause (a) of this paragraph has been made, the Governor may take the action referred to in clause (é) of this paragraph with regard to the administration of the area in question pending the reconstitution of the Econocil on Froh general election:

Devided further that no action shall be taken under clause its of this paragraph

the way may be, an apportunity of without giving the District or the Plegional Council, as the case may be, an epportunity of placing its views before the Segislature of the State. 11. Exclusion of areas from autonomous districts in forming constituencies in

such districts.— For the purposes of elections to the Legislative Assembly of Assam, the Sevenior may by order destare that any area within an autonomous district shall not form part of any constituency to fill a seat or seats in the Assembly reserved for any such district but shall form part of a constituency to fill a seat or seats in the Assembly not so reserved to tespacified in the order.

18. Application of the provisions of this Schedule to areas specified in Part B of the Table apponded to paragraph 20.—(1) The Soverner may—

(a) subject to the previous approval of the President, by public notification, apply all or any of the foregoing provisions of this Schedule to any Introduced to pasaintrol area specified in Part B of the table appended to pasagraph 20 of this Schedule or any part of such area and thorupon such area or part shall be administered in accordance with such hierosions, and

ds with like approval, by public notification, exclude from the said lable any british area operated in Surt Bef that lable or any part of such area.

(2) Until a notification is issued under sub-paragraph (1) of this paragraph in



respect of any tribal area specified in Part B of the said table or any part of such area, the administration of such area or part thereof, as the case may be, shall be carried on try-the Provident through the Severna of Assam as his agent and the provisions of Part IX shall apply thereto as if such area or part thereof were a territory specified in Part Def the Sint Schedule.

(3) In the discharge of his functions under sub-paragraph (2) of this paragraph so the agent of the President the Severnor shall act in his discretion .

19. Iranvitional provisions—v) As som as possible after the commoncount of this Econolitation the Governor shall take steps for the constitution of a District Council for reach automonous district in the State under this Schedule and, until a District Council is so constituted for an automonous district, the administration of such district shall be vested in the Governor and the following provisions shall apply to the administration of the area within such district instead of the foregoing provisions of this Schedule, namely:—

(a) no Act of Parliament or of the Seguiature of the State shall apply
to any such area unles the Sovernor by public notification so
directs; and the Sovernor in giving such a direction with respect
to any Act may direct that the Act shall, in its application
to the area or to any operified part thereof, have effect subject to
such exceptions or modifications as he thinks fil;

(b) the Governor may make regulations for the peace and good government of any such area and any regulations so made may repeal or amend any Act of Instament or of the Legislature of the State or any existing law which is fer the time being applicable to such area.

(2) Any direction given by the Geverner under clause (a) of sub-paragraph (1) of this paragraph may be given so as to have retrospective effect:

(3). All regulations made under clause (b) of out-paragraph(0) of this paragraph chall be outmitted forthwith to the Invident and, until assented to by him, chall have no whort

20. Iribab areas.—(1) The areas specified in Parts A and B of the lable below shall be the bribal areas within the State of Assam

(?) The United Khasi-Jainlia Ibills District shall comprise the Territories swhich before the commoncement of this Econtitution were known as the Thasi States and the Whasi and Jainlia Bills District, excluding any areas for the time being comprised within

the cardonment and municipality of Shiltery, but including so much of the area comprised within the municipality of Shiltery as formed part of the Thari State of Myhtiem: Devoided that for the purpose of elaws (e) and (f) of sub pasagraph (i) of pasagraph

Drovided that for the purpose of clause (e) and (f) of sub-paragraph (t) of paragraph 3, paragraph 4, paragraph 5, paragraph 6, sub-paragraph (2), clause (as, (b) anotals of sub-paragraph (t) of paragraph to of this Schedule, no part of the area comprised within the municipality of Shiltong shall be deemed to be within the District.

(3) Any reference in the table below to any district (other than the United Than-Jaintia Hills District) or administrative area shall be construed as a reference to that edistrict or area at the commencement of this Constitution:

Invided that the Iribal areas specified in Part B of the labbe below shall not include any such areas in the plains as may, with the previous appreval of the President, be notified by the Severner of Assam in that behalf

Part A

1. The United Khasi-Jaintia Hills District.

2. The Garo Hills District.

3. The Luchai Hills District.

4. The Haga Hills District.

5. The North Cachar Mills.

6. The Mikin Hills.

Part 98

1. North East Innitior Incl including Balipara Incitior Incl., Simp Incitior Inact., Alor Bills District and Alisimi Wills District

2. The Naga Tribal Area.

21. Amendment of the Schedule.—co Darliament may from time to time by law amend by way if addition, variation or repeat any of the previous of this Schedule and, when the Schedule is so amended, any reference to this Schedule in this Constitution shall be constructor a reference to such Schedule as so unrended.

(2) No such law as is montioned in sub-paragraph(0) of this paragraph shall be deemed to be an amendment of this Constitution for the purpose of article 368.

Seventh Schedule [Article 246] Sist 1 - Union Sist

1. Defence of India and every part thereof including preparation for defence an all such acts as may be conducive in times of war to its prosecution and after its termination lo effective demobilisation

2. Showal, military and air force; any other armed forces of the Union.

3. Delimitation of continuent areas, local self-government in such areas, the condi lution and power within such areas of contemment authorities and the regulation of house accommodation (including the control of rents) in such areas.

4. Naval, military and air force works.

5. Arms, firearms, ammunition and explosions.

6. Atomic energy and mineral resources necessary for its production

r Industries declared by Parliament by law to be necessary for the purpose of defence er for the presecution of was. 8. Contral Bureau of Intelligence and Invertigation.

9. Preventive detention for reuseus connected with Defence, Tonign Affairs, or the

security of India; persons subjected to such detention.

v. Foreign Affairs; all matters which bring the Union into relation with any

11 Diplomatic consular and trude representation.

12. United Nations Organisation.

13. Participation in informational conferences, associations and other bedies and emplementing of decisions made thereat.

14. Eulening into breaties and agreements with ferrign scuntines and implementing of treaties, agreements and conventions with foreign countries.

15. War and peace

16 Foreign jurisdiction.

17 Edizenship, naturalisation and aliens.

19 Admission into, and emigration and expulsion from India; payports and

ve Ingrimages to place outside India. vr Inneiss and crimes committed on the high seaser in the sais; effence against. the law of nations committed on land or the high seas or in the air. 23. Toighways declared by or under law made by Partiament to be national Thigh en Shipping and navigation on inland waterways, declared by Partiament by law to be national waterways, as regards mechanically propelled vessels; the nute of the road on such waterways. 25. Marilime shipping and navigation, including shipping and navigation on lidal water; prevision of education and having for the moreuntile marine and regulation of such education and training provided by States and other agencies. 25 Lighthown, including lightships, beacons and other provision for the safety of shipping and aircraft. 27. Tents declared by or under law made by Parliament or existing law to be major ports, including their delimitation, and the constitution and powers of put authorities therein. 28 Port quarantine, including hexpitals connected therewith; samous and marine 23 Aarways, aircraft and air navigation; pravision of aerodromes, regulation and organisation of air traffic and of aerodromes; provision for aeronautical education and training and regulation of such education and training provided by States and other agencies. so Carnage of passengers and goods by naturay, sea or air, or by national water ways in mechanically propelled vessels. 31. Texts and belegraphs; belephones, wireless, broadcasting und other like firms of 32. Property of the Union and the revenue therefrom, but as regards property cituated in a State specified in Part A or Part B of the Fixet Schedule subject to legislation by the State, save in so far as Parliament by law athornise provides 33. Acquisition or requisitioning of property for the purpose of the Union. 34. Courts of wards for the estates of Puloo of Indian States. 35 Tublic dobt of the Union. 36. Euroncy, coinage and logal tender; fereign exchange. 31. Screign loans. 38 Serve Bank of India. 39 Pot Office Savings Bank.

to Idlenes organised by the Government of India or the Government of a State. 41. Trade and commerce with foreign countries; import and export across customs frontiers; definition of customs frontiers. 42. Inter State trade and commence 13. Incorporation, regulation and winding up of trading corporations, including banking, insurance and financial corporations but not including so operative societies. rn Incorporation, regulation and winding up of corporations, whether trading or net, with eljects not confined to one State, but not including universities. 16. Philo of exchange , chequer, promiserry notes and other like instruments. 48. Stock exchanges and futures markets. 13. Patents, inventions and designs; copyright; brude marks and merchandise marks 50. Establishment of standards of weight and measure 51. Establishment of standards of quality for goods to be experted out of India or transported from one State to another 52 Industries, the control of which by the Union is declared by Parliament by law to be expedient in the public interest. 53 Plegulation and development of citfields and mineral cit resources; potentium and petroleum products; other liquids and substances declared by Parliament by law to be dangerous ly inflammable. 54. Ploquiation of mines and mineral development to the extent to which such regulation and development under the central of the Union is declared by Parliament by law to be expedient in the public interest. 55 Pegulation of labour and oafely in mines and cilfields. 56. Regulation and development of inter-State river and river vulleys to the extent to which such regulation and development under the control of the Union is declared by Partiament by law to be expedient in the public interest. 57. Fishing and fisheries beyond territorial water. 50. Manufacture, supply and distribution of salt by Union agencies, regulation and control of munufacture, supply and distribution of salt by other agencies.

53. Gullivation, manufacture, and sale for expert, of spium. 60. Sanctioning of cinematograph films for exhibition. 61 Industrial disputes concerning Union employees

or The institutions known at the commencement of this Constitution as the National Library, the Indian Museum, the Imperial War Museum, the Victoria Monerial and the Indian "bla Stemenal", and any other like institution financed by the Government of India schooly or in part and declared by Iurliament by law to be an institution of national 63. The institutions benown at the commencement of this Constitution as the Bonaris Hondu University, the Aligarh Muslim University and the Dethi University, and any either institution declared by Parliament by law to be an institution of national importance. 04. Institutions for scientific or technical education financed by the Government if India wholly or in part and declared by Parliament by law to be institution of national import-65. Union agencies and institutions for-(a) professional, vocational or technical training, including the training of police officers; or (b) the promotion of special studies or research; or (c) scientific or technical assistance in the investigation or detection of crime. ec. Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions. or Ancient and historical monuments and records, and archaeological sites and remains, declared by Purliament by law to be of national importance. 08. The Survey of India, the Geological, Betanical, Goological and Anthropological Surveys of India; Melecrological organisations 69. Ensus ro. Union public services; all India services; Union Public Service Commission. 11. Union pensions, that is to say, pensions payable by the Government of India or out of the Convolidated Tund of India. 72 Elections to Gardiannent, to the Legislature of States and to the effice of Provident and Vice President; the Election Commission 73. Salaries and allowances of members of Parliament, the Chairman and Deputy Chairman of the Council of States and the Speaker and Deputy Speaker of the Norwe of the 14 Powers, provileges and immunities of each Floure of Parliament and of the members and the committees of each Thouse; emforcement of altendance of persons for giving evidence er producing documents before economittées ef Indiament er commissions appointed by Indiament.

15. Emcluments, allowances, privileges; and rights in respect of leave of alsence, of the President and Generous; salaries and allowance of the Ministers for the Union; the salarie, allowance, and rights in respect of leave of absence and other conditions of service of the Comptroller and 16. Audit of the accounts of the Union and of the States 17 Constitution, organisation, jurisdiction and powers of the Supreme Court (including contempt of such Court), and the fees taken therein; persons entitled to practise before the Supreme Court. 18. Constitution and organisation of the High Courts except provisions as to efficien and servants of High Ecurts; persons entitled to practise before the Fligh Courts. 79. Eadonsien of the jurisdiction of a Sbigh Coart having its principal seat in any State to, and exclusion of the jurisdiction of any such Loigh Coart from, any area cubide that so Extension of the power and jurisdiction of members of a police force belonging to any State to any area outside that State, but not so as to enable the police of one State to no and jurisdiction in any area outside that State without the convent of the ent of the State in which such area is situated; extension of the power and jurisdiction of member of a petice ferce belonging to any State to railway arreas outside that State 81 Inter-State migration; inter-State quarantine. 82. Taxes on income other than agricultural income 83. Duties of customs including export duties 84. Dulie of excise on tobacco and other goods manufactured or produced in India except -(a) alcoholic liquers for human consumption; (b) opium, Indian homp and other narcotic drugs and narcotics, but including medicinal and leitet preparations containing alechet or any substance included in sub-paragraph (b) of this entry. 86 Taxes on the capital value of the assets, exclusive of agricultural band, of individuals and companies; taxes on the capital of companies 87. Eclate duty in respect of property other than agricultural land. 88. Dulies in respect of succession to property other than agricultural land. 83. Terminal taxes on goods or pavengers, carried by nailway, sea craix; taxes on railway fares and freights.

90. Taxes other than stamp duties on transactions in stock exchanges and futures markets. 91. Patas of stamp duty in respect of bills of exchange, cheques, promisery notes, bills of hading, letters of credit, policies of insurance, transfer of shares, debentues, praxies and receipts. 32. Taxes on the sale or purchase of newspapers and on advertisements published 33. Offences against law with respect to any of the matter in this Lat. 34. Inquiries, surveys and statistics for the purpose of any of the matter in this Sist 35 Juriodiction and powers of all courts, except the Supreme Court, with respect to any of the matter in this List; admirally jurisdiction. 96. Two in respect of any of the matters in this List, but not including few taken 97 Any other matter not enumerated in Test 11 or Test 111 including any tax not mentioned in either of those Liolo. Sist 11 - State List 1 Public order (but not including the use of naval, military or air ferces or any ather armed forces of the Union in aid of the civil power). 2. Telice, including nations and vidioge police. 3. Administration of justice; constitution and organisation of all courts, except the Supreme Court and the Thigh Ecurt; offices and servents of the Thigh Court, procedure in rent and revenue sourts; few taken in all courts except the Supreme Court.
4. Prisons, reformateries, Beestal institutions and other institutions of a like nature, and persons detained therein; arrangements with alter States for the use of prisons and other institu-5. Local government, that is to say, the constitution and powers of municipal corpora tions, improvement trusts, district boards, mining selllement authorities and other local authorities for the purpose of local self-government or village administration & Public health and samilation; hospitals and dispensaries. 7. Pilgrimages, other than pilgrimages to places outside India 8. Intericating liquers, that is to say, the production, manufacture, passession, transport,

purchase and sale of intexicating liques. 3. Solies of the disabled and unemployable. 10. Burials and burial grounds; oremation and cremation grounds. 11. Education including universities, subject to the previous of entries 63, 64, 65 and 66 of Tist I and entry 25 of Tist III. 12. Sebraries, museums and other similar institutions controlled or financed by the State, ancient and historical monuments and records other than these declared by Parliament by law to be of national importance. 13 Communications, that is to say, roads, bridges, ferries, and other means of communiention not specified in Set 1; municipal tramways; repensys; inland waterways and har fie therem subject to the previsions of Set 1 and Set 111 with regard to such waterways; rehicles other Man mechanically propelled vehicles. vs. Agriculture, including agricultural education and research, protection against perts and provention of plant diseases. 15. Deservation, pucketion and improvement of stock and provention of animal diseases; veterinary training and practice. 16. Sounds and the prevention of callle brespass. 11. Water, that is to say, water supplies, irrigation and canals, drainage and embankmonts, water storage and water hower subject to the provisions of entry 56 of Set 1. 19. Sand, that is to say, rights in or ever land, band benuevo including the relation of bandlerd and benant, and the collection of rents; transfer and alienation of agricultural band; band improvement and agricultural loans; colonization. 19. Forests. 20 Protection of wild animals and birds. 21. Fisheries. 22. Courts of wards subject to the previsions of entry 34 of Let 1; encombered and attached estates. 23. Regulation of mines and mineral development subject to the previsions of List I with respect to regulation and development under the control of the Union 24. Industries subject to the provisions of only 52 of List 1. 25. Sas and gas works. 25. Inside and commerce within the State subject to the prevision of only 33 of List m. 21 Production, supply and distribution of goods subject to the provisions of entry 33 of Sist 111.

28. Markets and fairs.

29 Weights and measures except establishment of standards.

30. Money-lending and money-lender; relief of agricultural indebtedner.

31. Inns and inn-keepers.

32 Incorporation, regulation and winding up of exposations, other these those opecified in List 1, and universities, unmarporated trading, literary, scientific, religious and other societies and associations; co-operative societies

33. Theatres and dramatic performances; cinemus subject to the previsions of entry to of Get 1; specils entertainments and amusements.

34 Belling and gambling.

35. Horks, lands and buildings verted in er in the persession of the State.

36 Acquisition or requisitioning of property, except for the purposes of the Union,

subject to the previous of entry 42 of Girt 111.
31. Elections to the Sujislature of the State subject to the previous of any law made

39. Salaries and allowances of mombers of the Segislature of the State, of the Speaker and Deputy Speaker of the Legiolative Assembly and, if there is a Legislative Ecurcil, of the Enarman and Deputy Chairman Moreef:

30 Ducco, privileges and immunities of the Segislative Assembly and of the members and the committees thereof, and if there is a Segislative Council, of that Council and of the members and the committee thereof, enforcement of attendance of persons for giving seridence or producing documents before committees of the Legislature of the State

40. Salaries and allowances of Ministers for the State

11. State public services; State Public Gervice Commission.

12 State pensions, that is to say, pensions puzzable by the State or out of the Consolidated Fund of the State.

13. Public debt of the State.

11. Treasure trove.

45. Sand revenue, including the assessment and collection of revenue, the maintenance

of land records, survey for revenue purposes and records of rights, and alienation of revenues.

46 Taxes on agricultural income.

47. Duties in respect of succession to agricultural land.

48. Estate duty in respect of agricultural land.

49. Taxes on lands and buildings.

50. Taxes on mineral rights subject to any limitations imposed by Garliament My Naw relating to mineral development.

51. Tulio of excise on the following greate manufactured or produced in the State and countervishing dulies at the same or lower rates on similar greats manufactured or produced elsewhere in India —

(a) alcoholic diquen for human consumption;

(b) optum, Indian home and other narcotic drugs and narcotics;

but not including medicinal and loidet preparations containing attached or any substance included in out-paragraph (b) of this entry.

52. Taxes on the entry of goods into a local area for consumption, we er vale therein

53 Taxes on the consumption or sale of electricity.

54. Taxes on the sale or purchase of goods other than new papers.

55. Taxes on advertisements other than advertisements published in the neuropapers.

50. Toxus on goods and passengers carried by road or on inland waterways.

57. Taxes on vehicles, whether mechanically propelled or not, suitable for use on rousb, including brancars subject to the provisions of ontry 35 of List 111.

58. Taxes on animals and boats.

59.90

60. Taxis on preferious, trades, cultings and employments.

61. Capitation taxes.

02. Taxas on luxuries, including laxes on entertainments, amusements, betting and

gambung. 63. Plates of stamp duty in respect of documents other blun these specified in she

provisions of Gel 1 with regard to rates of stamp duly.

6. Offence against law with respect to any of the matter in this List.

cs Jurisdiction and power of all courts, except the Supreme Court, with respect to any of the malten in this Sert

60. Two in respect of any of the matter in this Sul, but not including fees taken in any t

List 111- Concurrent List

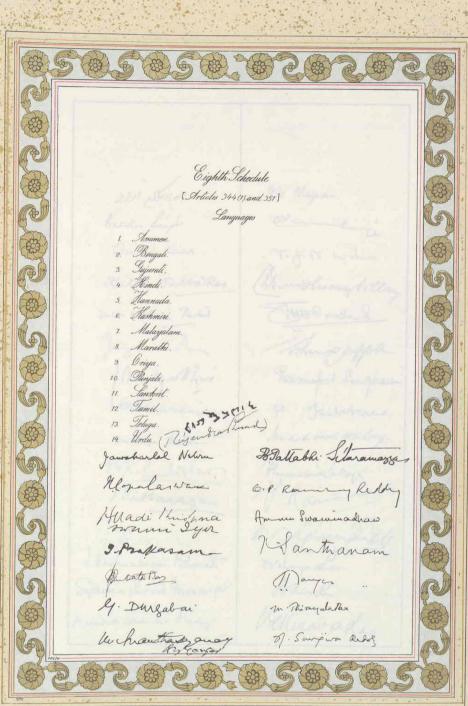
1. Enminal baw, including all mallers included in the Indian Penal Evide at the commencement of this Constitution but excluding effences against laws with respect to sany of the matter specified in Sixt 1 or Sixt 11 and excluding the we of naval, military or air forces or any other armed

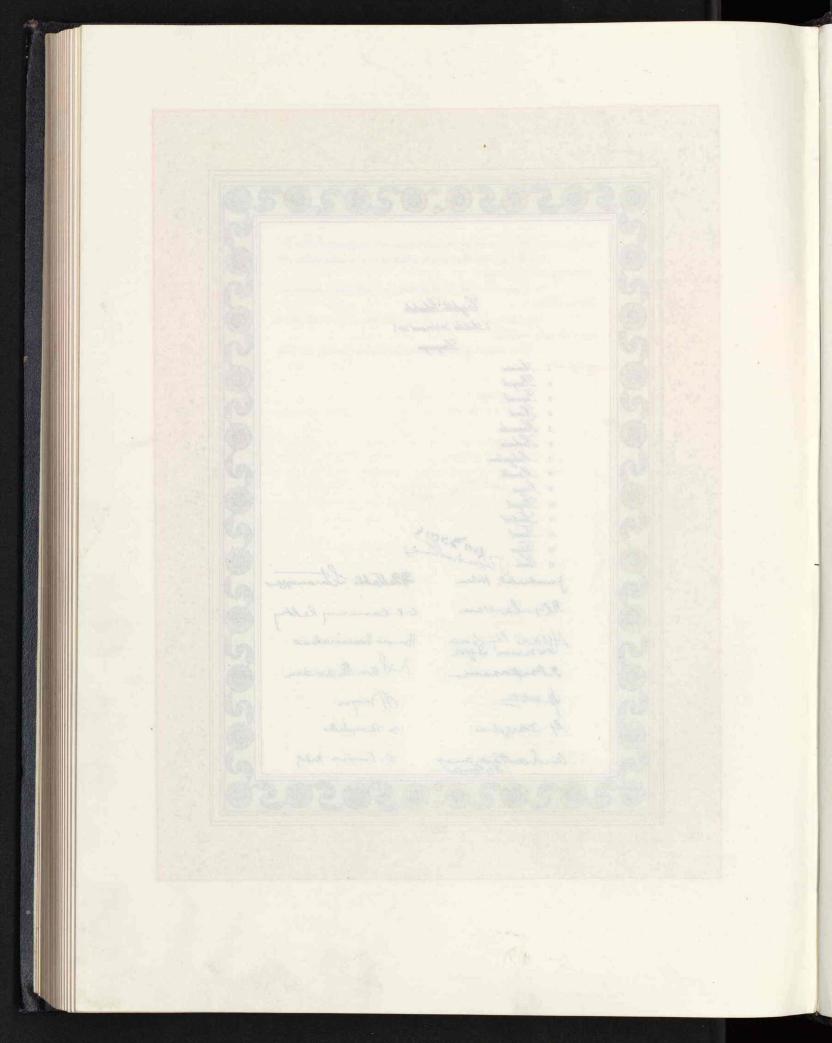
forces of the Union in aid of the civil power. 2 Command procedure, including all matters included in the Eorde of Criminal Procedure at the commoncement of this Constitution 3. Proventive detention for reasons connected with the security of a State, the maintanance of public order, or the maintenance of supplies and services exential to the community; persons subjected to such detention. 4. Namonal from one State to another State of privarier, accused persons and person subjected to proventive detention for reasons specified in entry 3 of this List. 5. Marriage and divorce; infants and minon; adeption; with, intotacy and succession, joint family and partition; all matter in respect of which parties in judicial proceedings were immediately before the commencement of this Constitution subject to their personal law. a Transfer of property other than agricultival land; registration of deak and documents. 7. Contracts, including partnership, agency, contracts of carriage, and other special forms of contracts, but not including contracts rotating to agricultural land 8. Actionable wrongs. 9. Bankrupley and insolvency. 10. Trust and Trustees 11. Administrators general and official trustees. 12. Evidence and radhs; recognition of law, fuelic acts and records , and judicial proceedings. 13. Eivil procedure, including all matters included in the Eode of Civil Procedure at ment of this Constitution, limitation and arbitration. 14. Contempt of excurt, but not including contempt of the Suprome Court 15. Tagrancy; nomadic and migratory tribes. 16 Innucy and mental deficiency, including places for the reception or breatment of lunaties and mental deficients. 11 Prevention of cruelly to animals. 18. Adulteration of foodstuffs and other goods. 19. Drugs and powers, subject to the previous of entry 59 of List I with respect to 20. Economic and social planning. 21 Commercial and industrial menepolies, combines and trusts. 22. Inade Unions, includeral and balour disputes. 23 Social security and social insurance; employment and unemployment.

24. Welfare of bakeur including conditions of work, peroident funds, employers histority, workmen's compensation, invalidity and old age pensions and maternity broughts. 25. Locational and technical bring of labour. 26. Legal, medical and other prefessions. 27. Pelief and rehabilitation of persons displaced from their original place of residence by reason of the selling up of the Dominion of India and Pakislan. 28 Gambia and charibathe institutions, charilable and religious enclosements and religious institutions. 23. Prevention of the extension from one State to another of infectious or contagious diseases or pests affecting mon, animals or plants. 30. Tital statistics including registration of births and deaths. 31. Ports other than those declared by or under law made by Partiament or existing law to be major ports. 32. Shipping and navigation on inland waterways as regards mechanically propelled vessels, and the rule of the read on such waterways, and the carriage of passengers and goods on inland waterways outject to the previous of List 1 with respect to national waterways 33. Inde and commerce in, and the production, supply and distribution of, the products of industries where the control of such industries by the Union is declared by Partiament by law to be expedient in the public interest. 34. Price control. 35. Mechanically propelled vehicles including the principles on which laxes on such vehicles are to be bried. 36. Factories 37. Boilen 38. Electricity. 39. Newspapers, books and printing presses. 40. Archaeological sites and remains other than these declared by Parliament by law to be of national importance. n Eurolay, management and disparal of property (including agricultural land) declared re Principles on which compensation for properly acquired or requisitioned for the purposes of the Union or of a State or for any other public purpose is to be determined, and the form and the manner in which such compensation is to be given 13. Recovery in a State of claims in respect of laxer and other public demands,

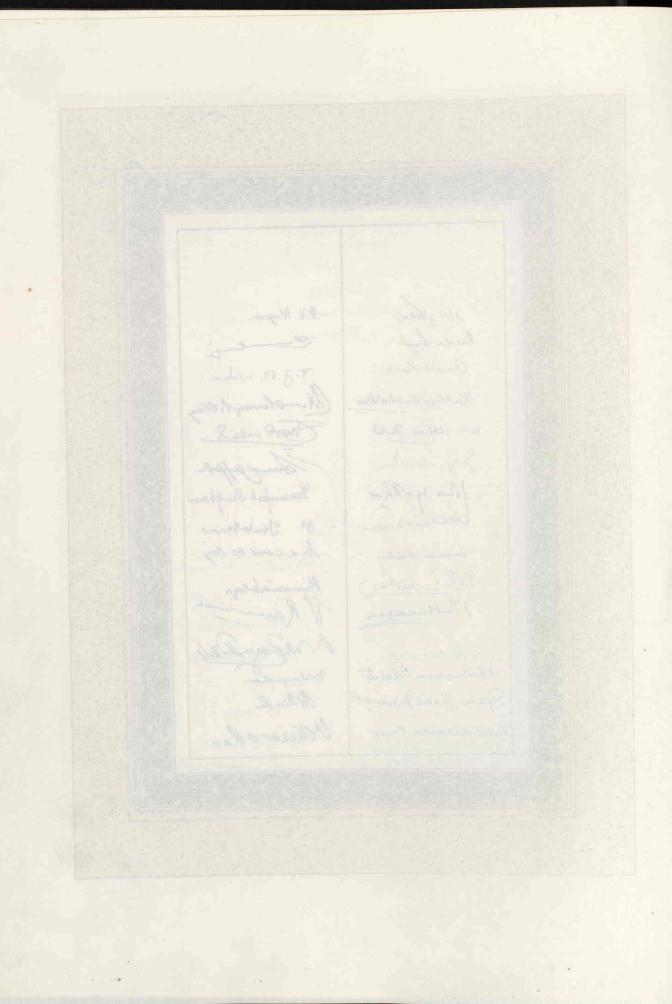
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including wears of land-revenue and sums recoverable as such areas, arising outside that State. 44. Stamp dutio other than duties or few collected by means of judicial stamps, but not including rates of stamp duty. 15 Inquiries and statistics for the purpose of any of the matter specified in Sixt 11 or Sixt 111. 46 Jurisdiction and power of all exunts, except the Supreme Ecunt, with respect to any of the matter in this Sect. 41. Tees in respect of any of the matter in this Sist, but not including fees taken in any court.

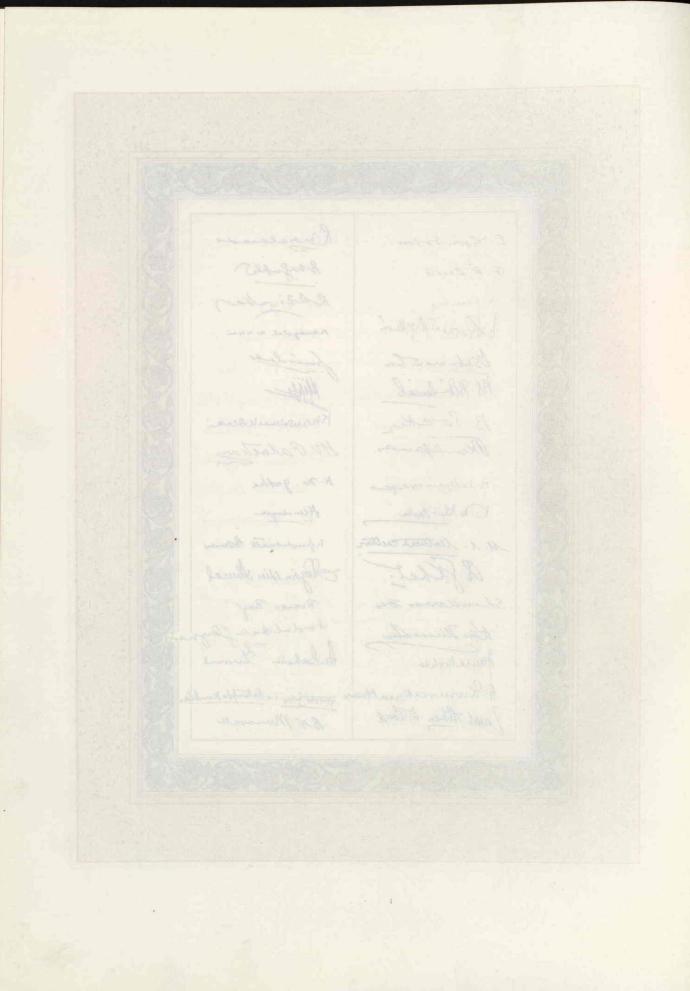




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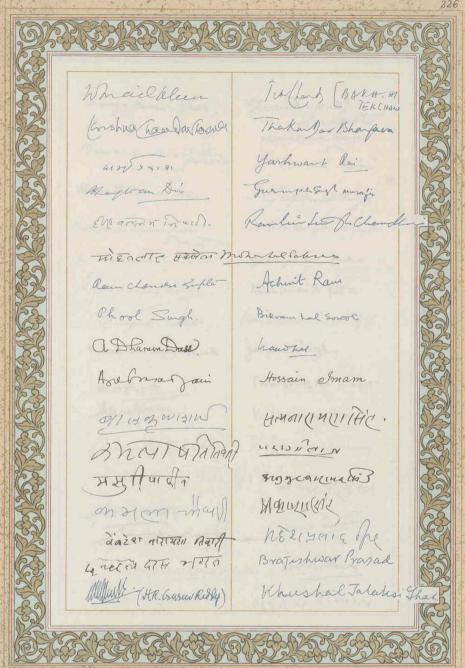


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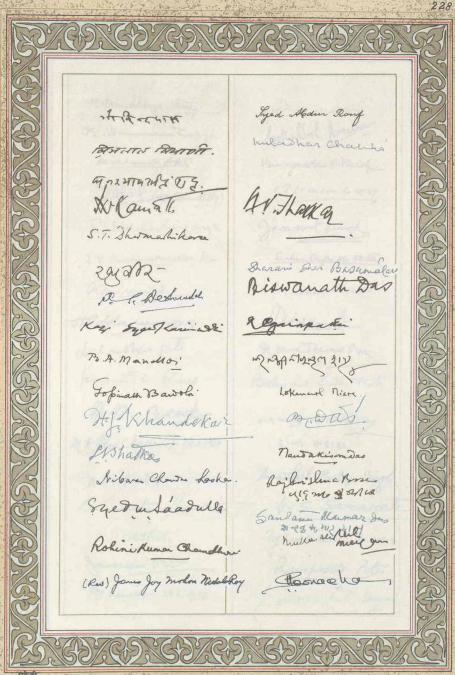


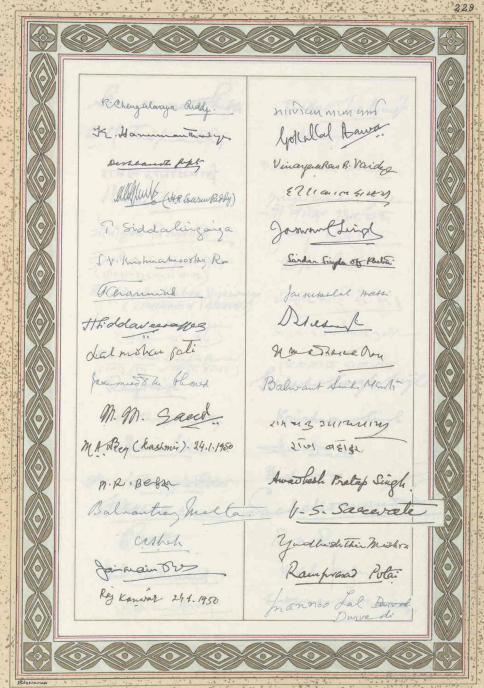
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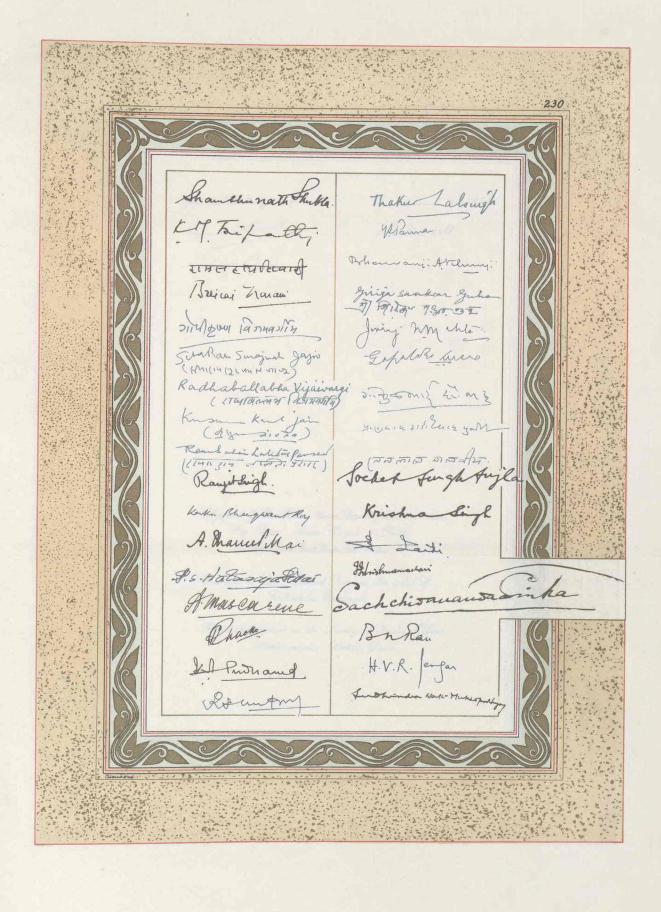
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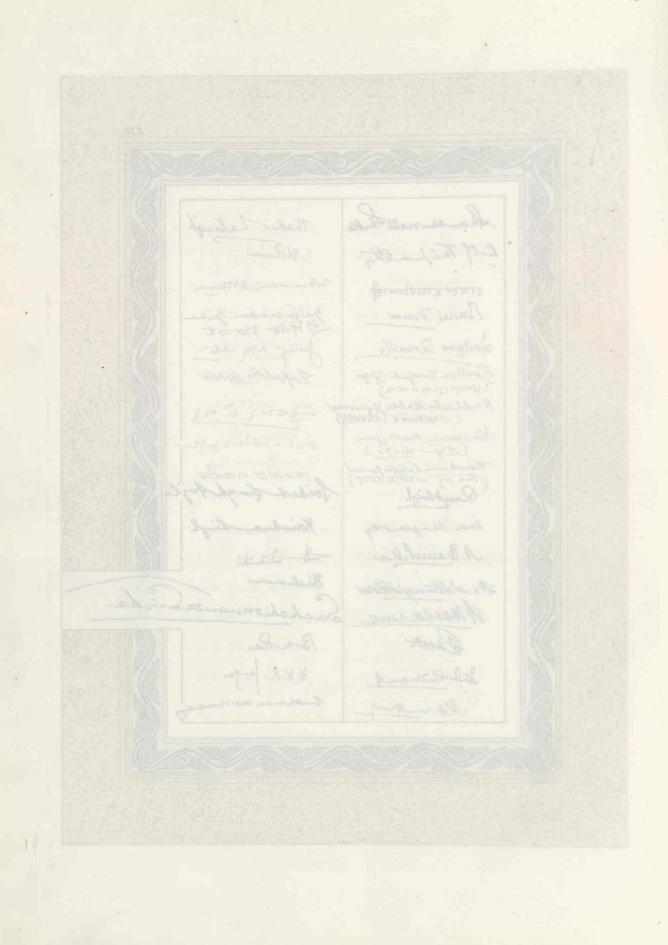


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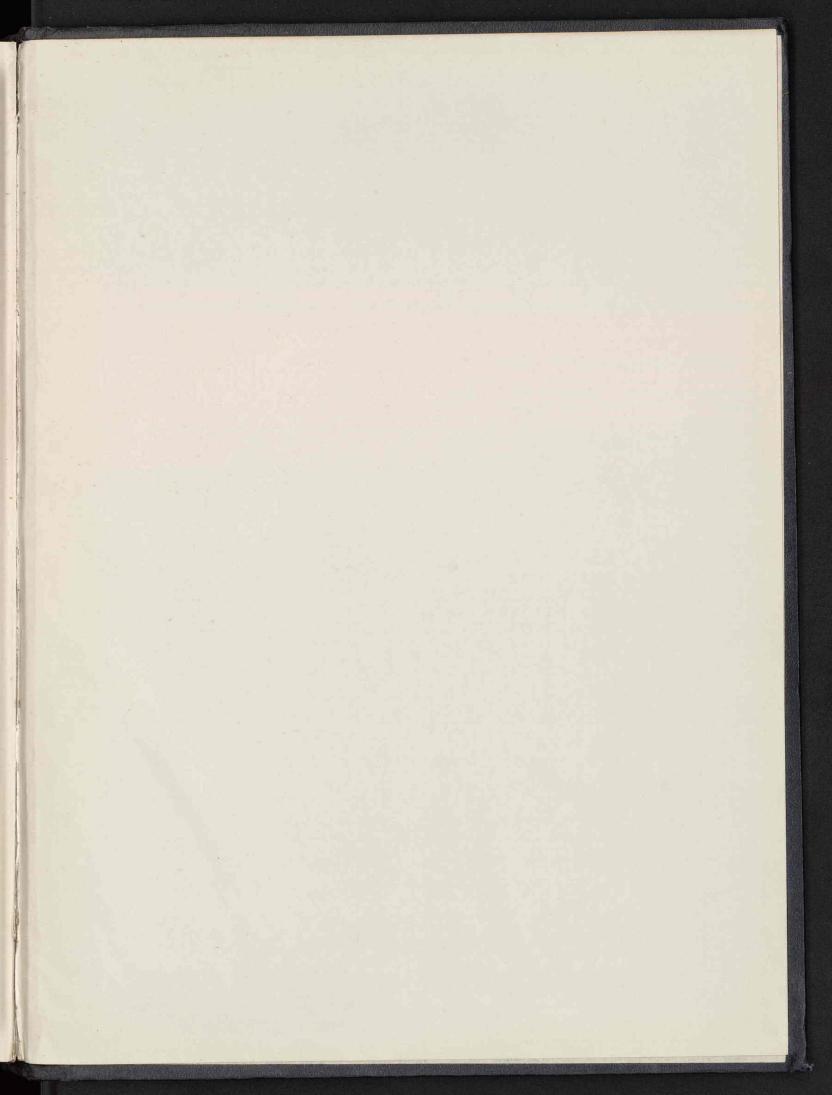




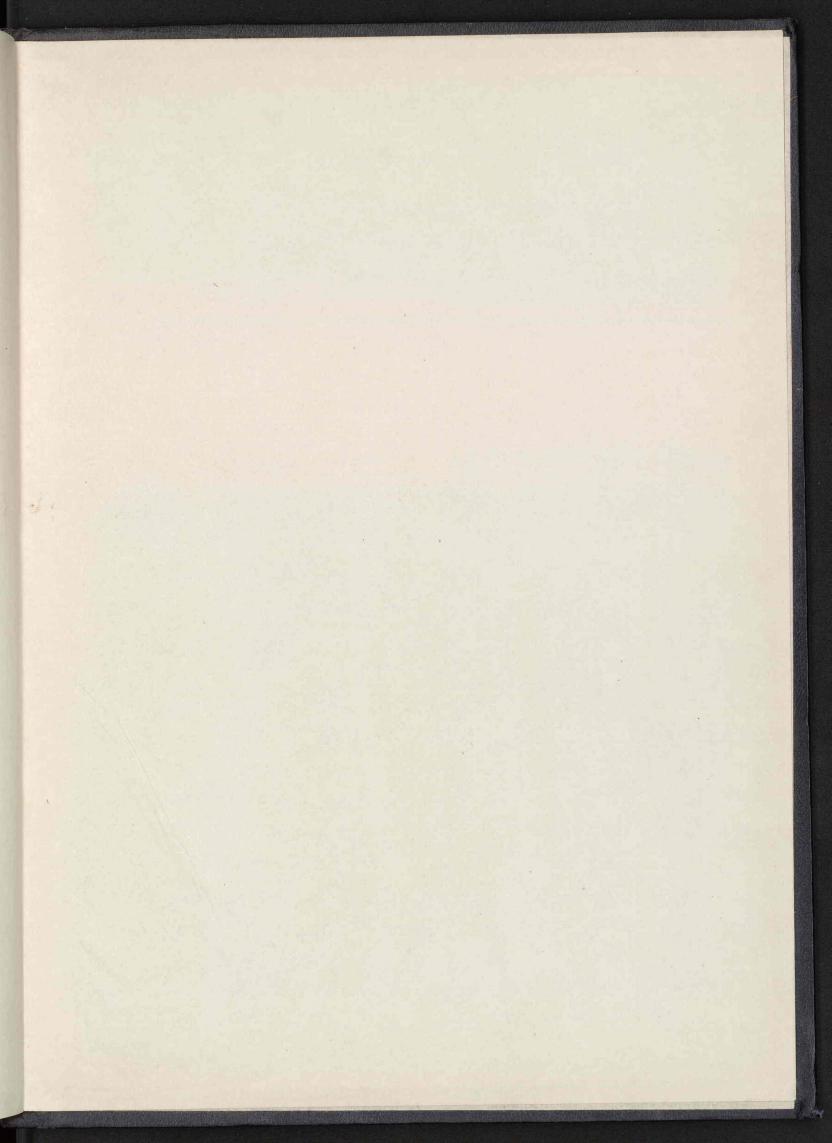
Jerome D' Souza s. of. Hawkenhue Mchlel hannati Esentes Teroze Gardhi. Sunder Lall Callignophed by Iran Behari, Navain Itaizada (Saxona) sp Shroe Brij Behari Harain Shaizada ef Dedhi. 4 Mest e Genen Bres (Sampus) Stil Stampus . Illuminaled by Shri Nandalal Base and other artists of Santiniketan, Baseabharati. Photolithographed at the Survey of India Offices, Hathibarkala, Dehra Dun.

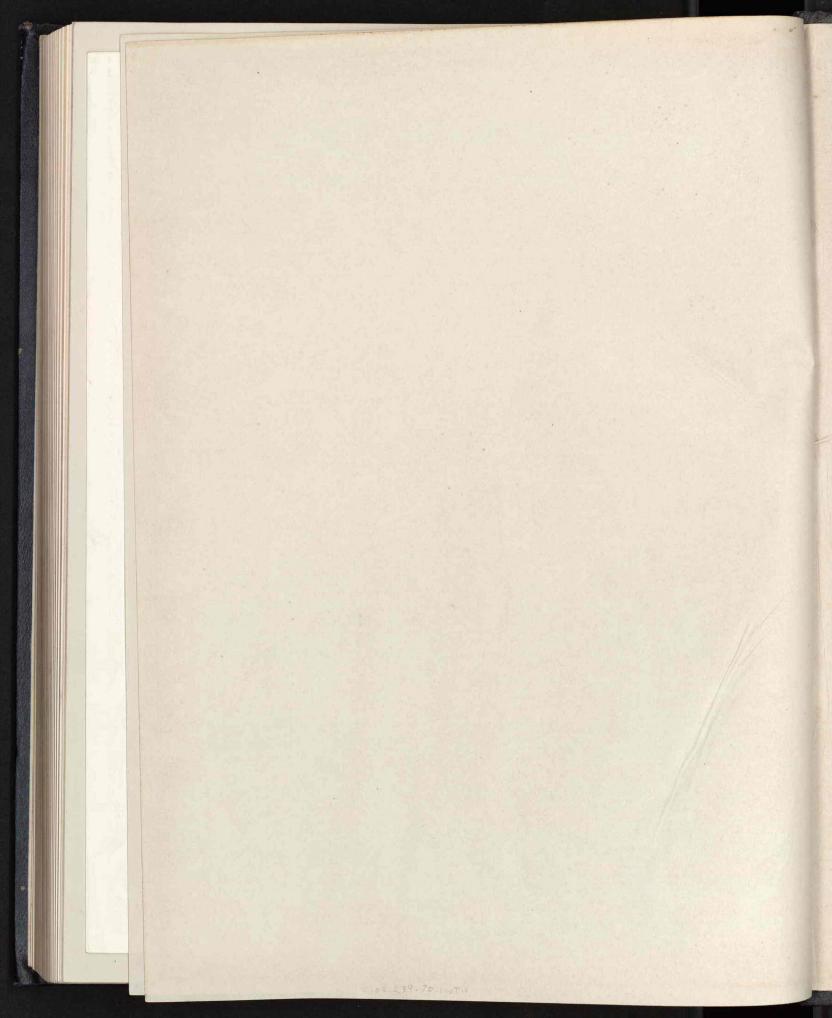
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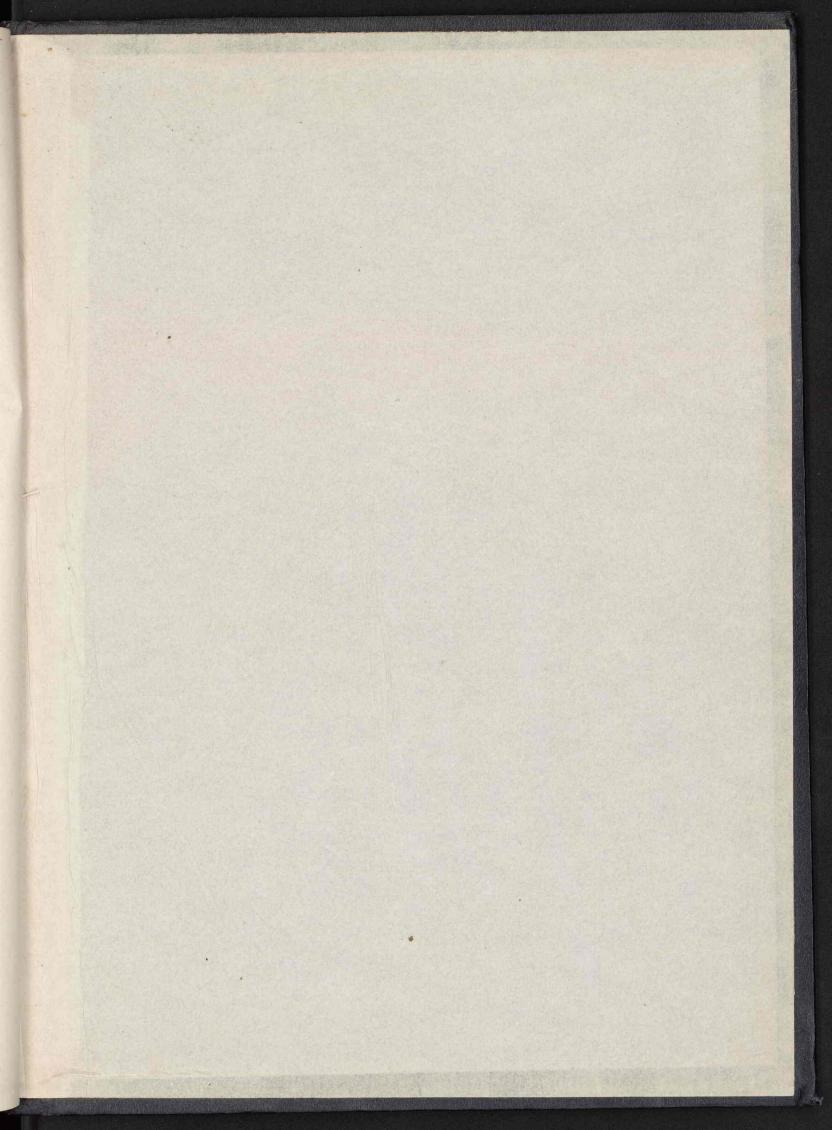


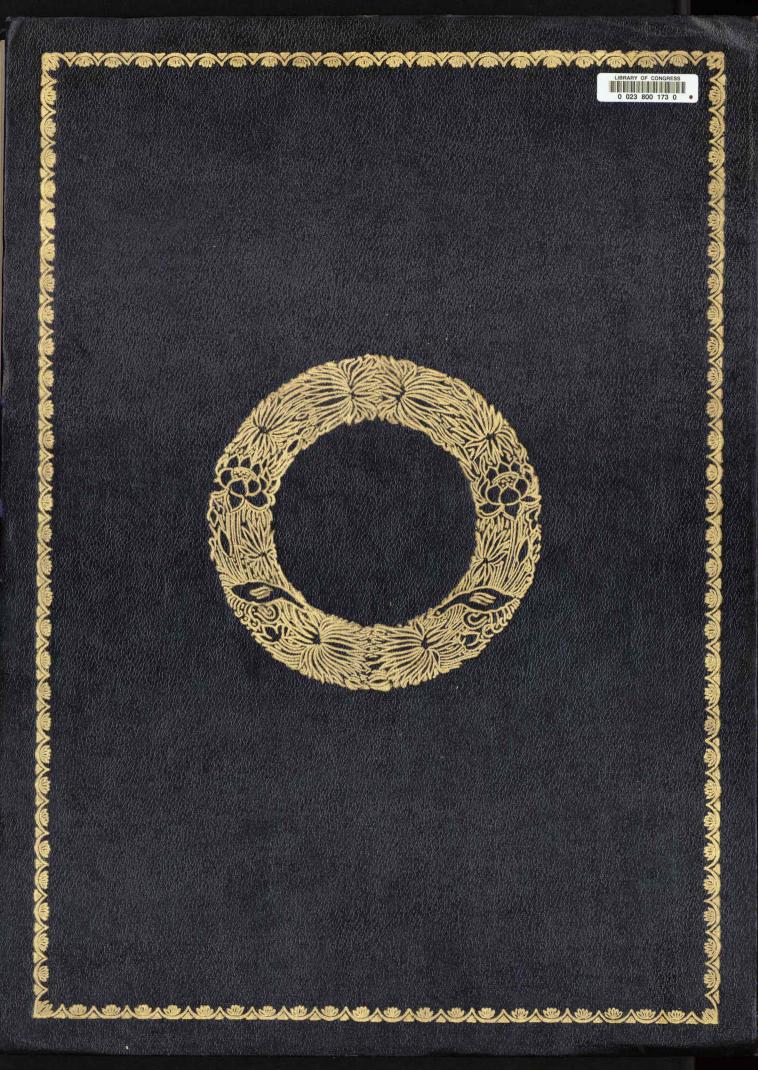














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